DOCUMENT RESUME

ED 372 977 SO 023 662

TITLE	Private/Non-State Education: Forms and Status in the Member States of the European Community.
INSTITUTION	EURYDICE European Unit, Brussels (Belgium).
REPORT NO	ISBN-2-87116-192-5
PUB DATE	Jun 93
NOTE	88p.
AVAILABLE FROM	European Unit of EURYDICE, Rue d'Arlon 15, B-1040 Brussels, Belgium (also available in German and French).
PUB TYPE	Information Analyses (070) -- Reports - Descriptive (141)
EDRS PRICE	MF01/PC04 Plus Postage.
DESCRIPTORS	Elementary Secondary Education; Foreign Countries; *International Cooperation; *International Educational Exchange; *Private Education; *Private Schools; Private Sector
IDENTIFIERS	Belgium; Denmark; *European Community; France; Germany; Greece; Ireland; Italy; Luxembourg; Netherlands; Portugal; Spain; United Kingdom

ABSTRACT

This document is an analysis of private education in the member states of the European Community, providing some insight into the exact situation of this sector of education in Europe. The strictly private sector (organized, financed, and controlled entirely by private individuals or bodies) as far as it still exists, is extremely limited. Parallel to it, there has developed another sector which, while it is non-state, really cannot be called private, in view of its links with the state in terms of both funding and control. It is primarily this latter sector of education that is examined particularly in relation to primary and secondary education in the member states of the European Community. The presentation by member states covers the following areas: (1) general legislative framework, considering factors likely to have had a major influence on the development of each sector of education; (2) types of schools; (3) conditions for setting up schools; (4) financing and subsidies from public funds and school fees; (5) conditions regarding curricula, timetables, and teaching methods; (6) status of qualifications awarded; (7) appointment, status, terms, and conditions of service of teachers; (8) inspection; (9) statistics; and (10) index of representative organizations. The member states discussed are Belgium, Denmark, Federal Republic of Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, The Netherlands, Portugal, and the United Kingdom. (Author/DK)

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ED 372 977

EURYDICE

PRIVATE / NON-STATE EDUCATION : FORMS AND STATUS IN THE MEMBER STATES OF THE EUROPEAN COMMUNITY

U.S. DEPARTMENT OF EDUCATION
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The Education Information Network
in the European Community

PRIVATE / NON-STATE EDUCATION : FORMS AND STATUS IN THE MEMBER STATES OF THE EUROPEAN COMMUNITY

EDUCATION
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Produced for the Task Force :
Human Resources, Education, Training and Youth
of the Commission of the European Communities
by the European Unit of EURYDICE

Available in DE-EN-FR

D/1992/4008/17
ISBN 2-87116-192-5

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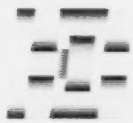

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INTRODUCTION

As from 1993, following completion of the Single Market, all citizens of the European Community will have the right to travel, to work and to live anywhere in the European Community.

However, there are physical and technical barriers to the exercise of this right just as in relation to the free movement of goods and capital, and appropriate steps will have to be taken to remove them. In this respect, the two systems for the mutual recognition of higher education diplomas for the professions and of secondary or post-secondary level professional education and training mark a significant step towards the Citizens' Europe. But the educational structures of the countries in the European Community are very different one from another, and it is therefore important to promote mutual knowledge of them so as to make freedom of movement a real, practical possibility.

The history of the Member States and the development of their institutions and administrative systems have influenced the organisation of their educational systems, the distribution of functions and the relationship between State and non-State educational bodies.

"Private education" has become the current shorthand for what is not State or public education, but in fact the term covers situations which vary enormously from one Member State to another.

In pursuance of the function of EURYDICE as the principal European Community instrument for information on national education structures, systems and developments[1], the European Unit of the network has taken the initiative to produce this analysis of private education in the Member States of the Community so as to provide some insight into the exact situation of this sector of education in Europe.

The strictly "private" sector - organised, financed and controlled entirely by private individuals or bodies - as far as it still exists, is extremely limited. Parallel to it, there has developed another sector which, while it is "non-State", cannot really be called "private", in view of its links with the State in terms of both funding and control.

It is primarily the latter sector of education which we examine in this document, which depicts the situation, particularly in relation to primary and secondary education, in the Member States of the European Community.

The presentation by Member State is arranged to cover the following areas :

1. General - Legislative framework
2. Types of schools
3. Conditions for setting up schools
4. Financing/Subsidies from public funds/School fees
5. Conditions regarding curricula, timetables and teaching methods
6. Status of qualifications awarded
7. Appointment/Status/Terms and conditions of service of teachers

[1] Resolution of the Council and Ministers for Education meeting within the Council of 6 December 1990 concerning the EURYDICE Information Network in the European Community

8. Inspection
9. Statistics
10. Index of representative organisations.

Section 1, **General - legislative framework,** considers factors likely to have had a major influence on the development of each sector of education, viz.

- citizens' constitutional freedom to found schools in accordance with their religious or philosophical beliefs;
- parents' right to choose for their children an alternative education to that provided by the authorities;
- the State's resulting obligation to guarantee parents' free exercise of this right, independently of their financial situation or social status, either by ensuring that such alternative education is adequately funded, or conversely by permitting the development of a private sector provided that it does not place any financial burden on the State;
- the guarantee of secular (non-religious) State education as against essentially denominational private education or, conversely, State recognition and virtual assimilation into the public sector of schools founded in the main by the Churches.

The non-State sector includes several categories of school - denominational or non-denominational, schools following alternative teaching methods, schools which represent a "substitute for" or "equivalent to" the State schools, and schools under contract to the authorities. **The conditions on which these may be set up** vary according to their status. These are described in sections 2 and 3.

The forms and amounts of subsidies and the **conditions for receipt of subsidy** from the authorities are set out in section 4. This may involve, for example, varying rates of financing depending on the kind of contract entered into with the State, or recognition of the school as having a particular "social" function; or, again, direct funding of the school or assistance to the pupils or their parents.

The origin and the methods of financing described in this document are from public sources. It is perhaps useful to mention that, in the view of the ILO, the need to strengthen links between school and the world of work could mean a greater involvement of private business in financing various sectors of education in the years to come.

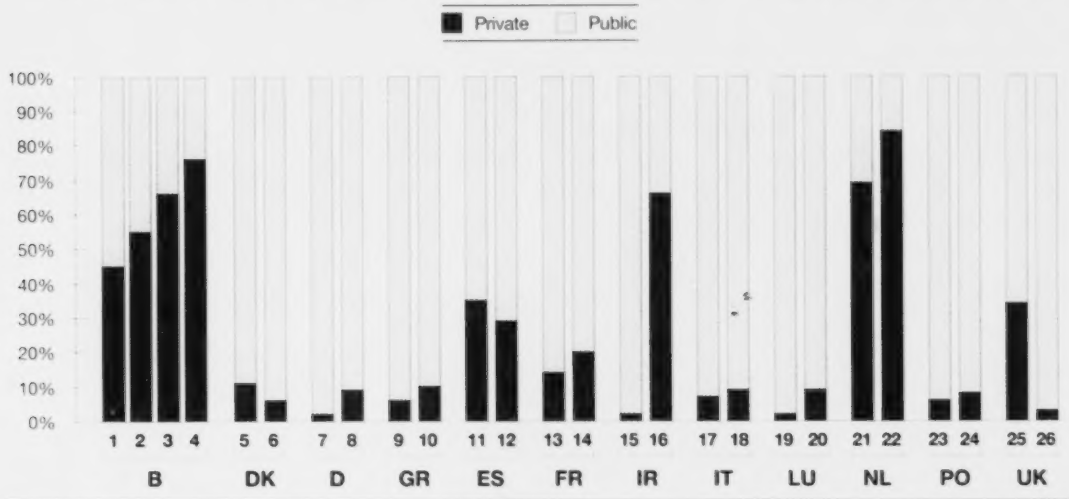
In accepting public funding, the private sector recognises that it must in return **comply with certain minimum conditions of operation** in relation to such matters as the curriculum, timetabling, pupil numbers, organisation of examinations and the award of qualifications, and also accept various elements of control. These conditions are dealt with in sections 5, 6 and 8.

Depending on the Member State in question and the extent to which its non-State schools are subsidised, the **position of teachers** (section 7) - their qualifications and terms and conditions of service (salary scales, working hours etc.) and the procedures under which they are recruited - is very close to that of teachers in State schools.

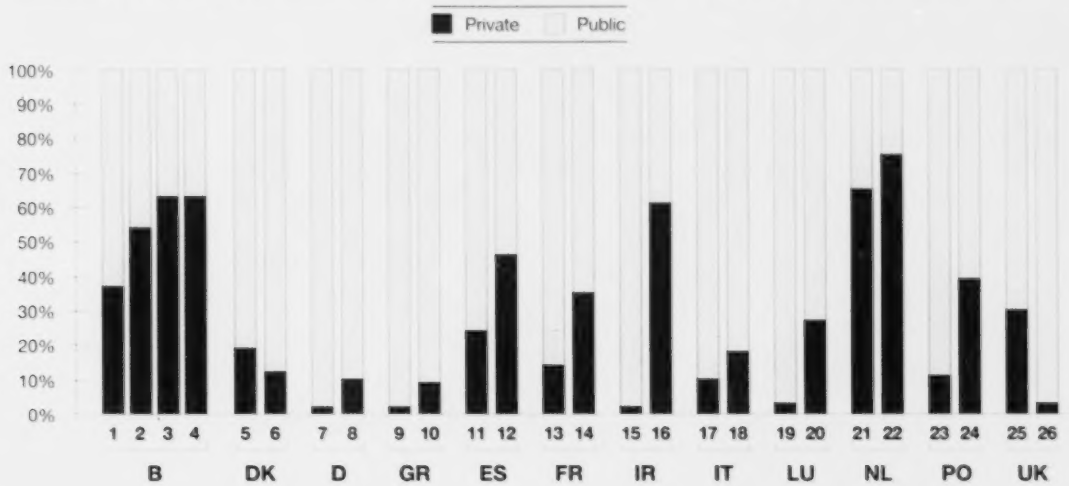
The **statistics** on "non-State education" (section 9) reveal considerable differences in the relative importance of this sector from one Member State to another.

Where such education is subsidised to a large extent, more than half of all pupils may be involved. But there are also substantial differences within a given country, depending on other factors such as the level of education concerned or the type of education - general, vocational or special.

Pupils - Percentage distribution between private education (whether subsidised or not) and public education



Schools - Percentage distribution between private education (whether subsidised or not) and public education



Legends

B - 1. Belgium French-speaking - primary education 1990/91
B - 2. Belgium French-speaking - secondary education 1990/91
B - 3. Belgium Dutch-speaking - primary education 1990/91
B - 4. Belgium Dutch-speaking - secondary education 1990/91
DK - 5. Denmark - Folkeskole 1990/91
DK - 6. Denmark - upper secondary education 1990/91
D - 7. Germany - primary education 1989/90
D - 8. Germany - secondary education 1989/90
GR - 9. Greece - primary education 1990/91
GR - 10. Greece - secondary education 1990/91
ES - 11. Spain - EGB 1989/90
ES - 12. Spain - upper secondary education 1989/90
FR - 13. France- primary education 1990/91
FR - 14. France - secondary education 1990/91
IR - 15. Ireland - primary education 1988/89
IR - 16. Ireland - secondary education 1988/89
IT - 17. Italy - primary education 1989/90
IT - 18. Italy - secondary education 1989/90
LU - 19. Luxembourg - primary education 1990/91
LU - 20. Luxembourg - secondary education 1990/91
NL - 21. The Netherlands - primary education 1989/90
NL - 22. The Netherlands - secondary education 1989/90
PO - 23. Portugal - primary education 1991/92
PO - 24. Portugal - secondary education 1991/92
UK - 25. England and Wales - total - 1990
UK - 26. Scotland - total - 1992 (estimate)

The diagrams (see p. 7) depict the overall situation. Detailed data are given in the chapters on the individual countries.

There are **representative organisations** of the various types of schools in the non-State sector at both national and international level (Section 10).
The aims of organisations such as ECNAIS (European Council of National Associations of Independent Schools) and CEEC (*Comité européen pour l'enseignement catholique* - European Committee for Catholic Education) include the defence of their rights and the promotion of the interests of non-State education.

This document is the result of cooperation within the EURYDICE network between the Units of the Member States and the European Unit. The information presented is therefore mainly based on official data produced by the authorities responsible for education in the Member States of the Community.

It is difficult to identify trends or common characteristics in private education in the European Community owing to the very different historical, social, political, cultural and religious factors which have contributed to the present situations. Nevertheless, by presenting a series of aspects of the topic systematically for each Member State, this document should enable the reader to form a more accurate idea of the current significance of private education in the Community.

We should like to thank the EURYDICE Units in the Member States for providing and verifying our presentation of the basic data.

Document prepared in the
European Unit of EURYDICE
by A. BARRIUSO-DE CEUSTER

December 1992

BELGIUM

1. General / Legislative framework

Freedom of education is guaranteed by Article 17 of the Belgian Constitution. Education in Belgium is organised by the public authorities : the "Communities"[1], the provinces, the communes or associations of communes and other corporate bodies governed by public law; or by private individuals, *de facto* associations, or non-profit-making associations.

Education organised by the public authorities is known as *enseignement officiel* (official/public education), while that organised by private bodies is called *enseignement libre* (free, i.e. non-State, education).

Belgium is commonly regarded as having three "school networks". "Official education" embraces two of these networks : the community schools network and the provincial and communal schools network. Subsidised non-State schools make up the third network.

For several years, in Flanders as in the French Community, the non-State school network has been divided in two: a network of denominational schools and a network of schools which are non-denominational or with no particular affiliation.

The law of 29 May 1959, known as the *Pacte scolaire*, guarantees parity of treatment for the various education networks.

Subsidised non-State schools must comply with the language laws and with the system of "capital-périodes"[2] which regulates the structure and organisation of education. Subsidised secondary schools are also subject to the provisions of :

- the law of 19 July 1971, as amended by the law of 31 July 1975, on the general organisation and structure of secondary education and
- the Royal Decree of 30 March 1982, setting out a plan for the modernisation and reorganisation of secondary education[3].

2. Types of schools

Non-State education may be divided into three categories :

- denominational education, in which Catholic schools are by far the most numerous, although there are some schools run by the Protestant, Jewish and Islamic religious authorities;

[1] On 1 January 1989, following a revision of the Belgian Constitution, statutory responsibility for education was transferred to the linguistic (French, Flemish, and German-speaking) "Communities." The central government retains control in only three areas :
- determination of the beginning and end of compulsory education;
- minimum standards for the award of diplomas;
- pension schemes.

[2] In 1984-85, Belgium introduced a system to determine the number of "periods" each school was entitled to in any school year, based on the number of pupils attending the school the previous year.
The system was a major innovation which aimed to give both the authorities and head teachers greater independence in managing their schools and a more reliable basis for budget planning. The "periods" granted to a school may be allocated according to the needs and desires of the students and teaching staff, without prejudice to the conditions applicable to the introduction of new courses or the opening of new sections.

[3] In order to continue in operation, every school must meet certain standards.
If a school does not reach its standard number of pupils at a specified date, it will be closed down gradually, year by year, beginning the following year, unless it merges with another school.
Mergers of schools of the same type are encouraged.
School planning rules set out the conditions for opening any new teaching department (subject or section).

- non-denominational education, including inter alia schools based on rationalist/humanist principles;
- independent schools applying specific educational theories, such as Freinet or Steiner schools.

The above two categories come under the aegis of the V.O.O.P. (the *Vlaams Onderwijs Overleg Platform*/Flemish Education Review Board) in the Flemish Community and of the F.E.L.S.I. (*Fédération des Ecoles Libres Subventionnées Indépendantes*/Federation of Independent Free Subsidised Schools) in the French Community and constitute a fourth network in themselves.

3. Conditions for setting up schools

Under the guarantee of freedom of education, everyone in principle has the right to open a school.

The Constitution declares that any measure to prevent this is prohibited.

Standards for school organisation and curricular planning[1] apply to the setting up and maintenance of subsidised non-State schools.

4. Financing / Subsidies from public funds / Fees

Under the terms of the *Pacte scolaire*, the State (the Communities since 1989) subsidises all schools founded by the provinces, communes and other public bodies as well as those established by private bodies and which meet the conditions laid down by law. The Community thus has the same relationship with the schools in both subsidised sectors - free and official, communal and provincial. These conditions include requirements to :

- adopt a structure which already exists in State education or which has been approved by the Minister of Education;
- follow a recognised curriculum;
- submit to inspection. This covers subjects taught, the level of instruction and the enforcement of the language laws, whereas teaching methods are not subject to inspection;
- be organised by an individual who, or legal body which, assumes full responsibility;
- have a minimum number of pupils, taking into account population density and frequency of study of certain subjects at the secondary and higher education levels;
- comply with health regulations and possess the necessary teaching materials and equipment.
  If a school or one of its departments fails to meet these conditions, subsidies are withheld until the situation is rectified.

Admission to pre-school, primary, and secondary education offering a full curriculum is free in State schools (Communities since 1989) and in schools subsidised by the State (the Communities since 1989) under the terms of the *Pacte scolaire*.

No school fees direct or indirect may be accepted or received in respect of pupils who are subject to compulsory school attendance. Imposition of a "minerval" is not permitted.

[1] See footnote 3 on page 9.

The subsidies granted cover in principle school operating costs and teachers' salaries.

These subsidies include :

- salaries paid directly to teaching staff, teachers' aides and educational auxiliaries. These salaries are identical to those which the State (the Communities since 1989) pays to its own staff in equivalent positions;
- grants for running and teaching expenses, to cover costs relating to the running of the school, to pay for textbooks and other materials provided free of charge to pupils of compulsory school age, and
- costs in relation to expenditure on equipment and the financing of investments.

Within the Flemish Community, the commitments entered into by the national guarantee fund for school buildings for both official and non-State education have been taken over by the DIGO (*Dienst Infrastruktuurwerken van het Gesubsidieerd Onderwijs* - the infrastructure service of subsidised education) and in the French Community by the Community Guarantee Fund (*Fonds communautaire de Garantie*) and the Building Fund (*Fonds des Bâtiments*) of the subsidised official sector of education.

The DIGO provides subsidised schools with capital funds to be used for major annual equipment purchases. The DIGO also :

- assumes 70% of the cost of purchase and construction, modernisation, extension, and initial furnishing of primary school buildings and 60% for buildings used by other levels; and
- guarantees reimbursement of capital, interest and other loan charges.

In the French Community, the pre-existing financial arrangements have been preserved, i.e.

- for the subsidised official sector - outright grant of 60%, guarantee for supplementary borrowing and repayment at a reduced rate of interest;
- for the subsidised non-State sector - guarantee for borrowing 100% with repayment at a reduced rate of interest.

5. Conditions regarding curricula, timetables and teaching methods

Those responsible for subsidised schools have complete freedom of choice of teaching methods.

Article 6 of the law of 29 May 1959 (the *Pacte scolaire*) provides that governing bodies and indeed individual schools are free - as long as they comply with the minimum legally-prescribed standards in relation to timetables and curricula - to arrange the timetables and (subject to Ministerial approval so that standards are maintained) the curricula for their respective networks.

To receive government subsidies, however, a school applying for such approval must have the teaching materials and school equipment needed to provide the subjects in question.

The inspectors are responsible for ensuring that each school actually has these materials and equipment and for checking that the standard is reached.

6. Status of qualifications awarded

Certificates awarded by non-State schools attesting the completion of levels of courses of study have the same legal status as those given in the "official" sector.

They are subject to the same conditions and procedures for official recognition.

7. Appointment / Status / Terms and conditions of service of teachers

The governing body of a school appoints its teaching staff. At their request, the competent Minister may give official recognition to appointments. This endorsement procedure applies to teachers appointed to posts in subsidised non-State establishments offering nursery, primary, special, secondary and full-time higher education and further ("social advancement") education.

Within the Flemish Community, teachers may transfer to the public sector. Within the French Community, however, the possibility for teachers to transfer from the non-State to the State-subsidised sector is left to the discretion of the receiving authority.

8. Inspection

Each Community's inspectorate is responsible for deciding whether the subsidised schools are complying with the subsidy requirements.

Each network also has its own educational inspectorate. The Royal Decree of 26 February 1960 concerning inspection of teaching in subsidised schools provides for subsidised secondary schools and higher education colleges offering short courses (*enseignement supérieur de type court*) to be inspected by inspectors accredited to perform their duties in the Community's education system.

There is an independent inspectorate for subsidised nursery and primary education.

There is also a separate inspectorate for each recognised religion.

9. Statistics

Flemish Community 1990/91

Pupils	Community education	Official subsidised (province, commune)	Subsidised non-State	% Subsidised non-State
Nursery	28,200	36,898	149,004	69.64
Primary	58,650	93,331	278,597	64.70
Secondary	73,368	38,524	328,267	74.57

Schools	Community education	Official subsidised (province, commune)	Subsidised non-State	% Subsidised non-State
Nursery	348	414	1,399	64.73
Primary	362	549	1,525	62.60
Secondary	308	132	742	62.77

Teachers (as of 30 June 1991)	Community education	Official subsidised (province, commune)	Subsidised non-State	% Subsidised non-State
Nursery	1,640	2,171	8,577	69.23
Primary	4,497	6,416	18,291	63.33
Secondary	11,984	6,237	40,153	68.78

Among non-State schools, Steiner schools (officially recognised since 1984) are the most numerous, with [illegible] primary schools, 1,633 pupils (including nursery pupils), and a teaching staff of 144 in the 1989-90 school year. The Freinet schools are also popular, with 532 pupils and 45 teachers in 1990-91.

Sources :

- Belgian EURYDICE Unit (Flemish Community).
- Statistisch jaarboek van het onderwijs: schooljaar 1990-1991. Brussels: Ministerie van de Vlaamse Gemeenschap, 1992.- 320 p.
- Structures of the Education and Initial Training Systems in the Member States of the European Community 1990. Brussels: EURYDICE European Unit; CEDEFOP, 1991.- 200 p.

French Community 1990/91

Pupils	Community education	Official subsidised (province, commune)	Subsidised non-State	% Subsidised non-State
Nursery[1]	14,624	80,499	64,519	40.4
Primary	37,499	135,907	140,948	44.8
Secondary	93,943	67,339	191,881	54.3

Schools	Community education	Official subsidised (province, commune)	Subsidised non-State	% Subsidised non-State
Nursery	197	1,002	723	37.6
Primary	211	1,019	709	36.5
Secondary	211	139	409	53.7

Teachers	Community education	Official subsidised (province, commune)	Subsidised non-State	% Subsidised non-State
"Basic education" (Nursery and Primary)	3,807	16,094	13,559	40.5
Secondary	14,179	10,198	25,360	50.9

[1] Including special education.

Sources :

- Belgian EURYDICE Unit (French Community).
- Structures of the Education and Initial Training Systems in the Member States of the European Community 1990. Brussels: EURYDICE European Unit; CEDEFOP, 1991.- 200 p.
- Effectifs scolaires - regime linguistique français, 1990-91. Bruxelles: Communauté française de Belgique, 1991. - 6 p. - (Etudes et documents). - ISSN 0773-5820.

Subsidies for non-State education as a percentage of current public expenditure on education				
1980	57.5			
1985	60.6			
1988	55.6			
Subsidies for non-State education by level of instruction				
	Primary	Secondary	Higher	Not distributed
1987	23.0	47.2	20.7	8.4

Source :

- Education expenditure - cost and financing : an analysis of trends : 1970 - 1988. Paris : OECD. October 1991 - 221 p.

10. Index of representative organisations

Flemish community

- Representatieve Vereniging van de Inrichtende Machten van het Katholiek Onderwijs (RVIMKO)/Representative association of governing bodies of Catholic schools
  Handelsstraat 82 / Rue du Commerce 82 - B - 1040 Brussels
- Nationale Confederatie van Oudervereniging van het Katholiek Onderwijs (NCOV)/National confederation of parents associations in Catholic schools
  Guimardstraat 1 / Rue Guimard 1 - B - 1040 Brussels
- Vereniging voor Protestants-Christelijk Onderwijs in België/Association of Protestant Christian schools in Belgium
  Brusselse Steenweg 153 - B - 9000 Ghent
- Vlaams Onderwijs Overleg Platform (VOOP) / Flemish education review board
  Brogniezstraat 46 / Rue Brogniez 46 - B - 1070 Brussels
- Federatie van Onafhankelijke Scholen (FOS) / Federation of Independent Schools
  Kasteellaan 54 - B - 9000 Gent

French community

- Secrétariat National de l'Enseignement Catholique (S.N.E.C.) (National secretariat for Catholic education)
  Rue Guimard 5 - B - 1040 Brussels
- Fédération des Ecoles Libres Subventionnees Indépendantes (F.E.L.S.I.) (Federation of Independent Subsidised Non-State Schools)
  Drève des Gendarmes 45 - B - 1180 Brussels

Trends

Teachers in non-State education will soon have a clearly defined legal status. This education is subsidised by the Communities if it meets the conditions of the law of 29 May 1959 (the *Pacte scolaire*) and is free to choose its own teaching methods.

This system of education either provided and financed 100 % by the Communities, or subsidised by them, guarantees parents the choice of the kind of education and the school to which they send their children. They may opt for :

- religious or secular education;
- a school run by the public authorities (an official school) or one run by a private body (a non-State school).

It should be borne in mind that the education provided by the Communities is non-denominational.

Non-State education is represented on the Consultative Committee for the Development of Secondary Education, comprising representatives of the education networks (two categories and four networks in Flanders). This committee may submit to the Ministry of Education opinions and suggestions on problems connected with the development of secondary education and has considerable influence on policy-making.

Sources

- Belgian EURYDICE Units: answers to questions EU/91/003/00; GR/88/006/00; NL/89/002/00.
- Le mouvement éducatif en Belgique (The Educational Movement in Belgium). Brussels: Ministère de la Recherche et de la Formation; Ministerie van de Vlaamse Gemeenschap, departement onderwijs; Ministerium der Deutschsprachigen Gemeinschaft, 1990.- 22 p. UNESCO International Conference on Education, 42nd session, Geneva 1990. Développement de l'éducation: 1988-1990.
- Kleuteronderwijs, lager onderwijs, secundair onderwijs. Brussel: Ministerie van de Vlaamse Gemeenschap, December 1991.- p. 13-20. (Klasse; 20).

DENMARK

1. General / Legislative framework

Under the democratic Constitution adopted by Denmark in 1849, general education, but not school attendance, is compulsory. As a result, it is a matter of choice for the parents whether their children receive education

1. in a local authority school,

2. in a private school, or

3. at home.

The founders of private schools are in the main prompted by one of the three following factors: denominational preferences, pedagogic theories or political and social leanings. Education at home is extremely rare.

Private schools operate as persons under private law but must work within the framework of the Act on Private Independent Schools.

At upper secondary level, the Minister of Education may authorise private individuals to set up upper secondary schools or *HF*-courses in accordance with the Acts on Upper Secondary Schools, on Higher Preparatory Examination Courses (*HF*) and on Single-subject Education Preparatory to an Examination for Adults, all of 13 June 1990.

Private upper secondary schools and HF-courses must be private foundations whose statutes have been approved by the Minister of Education. Such approval may be refused if a school does not comply with the relevant regulations or instructions issued to it.

2. Types of schools

Private primary and lower secondary schools can be divided into the following categories: small *Grundtvigian* independent schools in rural districts; non-academically orientated lower secondary schools (the so-called *réal*-schools); religious or denominational schools such as the Catholic or Danish Mission schools; progressive free schools; schools with a particular pedagogical aim, such as the Rudolf Steiner schools; German minority schools; and immigrant schools such as the Muslim schools.

There are about 20 private upper secondary schools at the present time, some of which are denominational. There is only one which includes "Christian" as part of its name; one is Catholic, but it also takes students of other denominations. Two international schools have also been granted the status of private upper secondary schools..

3. Conditions for setting up schools

Any private organisation or group of adults or parents can set up a private school for children between 6 and 18 years of age. The only requirement is that they meet certain official criteria (see point 6 below).

4. Financing / Subsidies from public funds / Fees

The private schools are financially independent institutions with their own boards of governors. All private schools are entitled to receive State subsidies covering up to 85% of their expenditure. Loans on favourable terms may be granted for the setting up of new schools provided certain requirements are met.

At primary and lower secondary level, the average fees are 6,000 DKK a year per pupil. Furthermore, the Act provides that if fees are too high, the school loses the right to State subsidies.

The State makes grants to private upper secondary schools on the following conditions :

1. The school has had at least 12 students per class on average in the last three fiscal years in which it has been in operation.
2. The headmaster and the teachers are remunerated according to the provisions in force for public secondary schools.
3. The headmaster and the teachers of the school are members of the relevant pension fund or demonstrate to the Minister of Education that they are in other ways assured of an adequate pension.

All types of expenditure are covered by the State subsidies. 80-85% of private upper secondary schools' budgets is covered by public funds. Fees are approximately 9,000 DKK per pupil per year.

5. Conditions regarding curricula, timetables and teaching methods

At primary and lower secondary level, the education given in the private schools must be of a standard comparable to that of the *Folkeskole*; for instance, the teaching of Danish, Maths and English must match the requirements in the municipal schools. There must be a certain minimum number of pupils, depending on the size of school, e.g. there must be at least 12 pupils in the first year, 20 in the second year and from then on, 28 pupils.

At upper secondary level, private schools must comply with all the conditions applicable to public schools in respect of their curriculum, syllabuses, timetabling, teachers' qualifications, appointment and status of staff, and inspection.

6. Status of qualifications awarded

The status of qualifications awarded is the same as for the public school system.

7. Appointment / Status / Terms and conditions of service of teachers

The State does not intervene in the appointment of head teachers or teachers, except in the case of the appointment of headteachers at private upper secondary schools which has to be approved by the Ministry of Education.

8. Inspection

A supervisor for each school is either elected by the parents or appointed by the municipality. The supervisor is responsible for ensuring that the standard of education is comparable to that of the *Folkeskole*.

9. Statistics

1990/91

Pupils	Public	Private	% Private
Folkeskole	549,262	67,360	10.9
Upper secondary	68,500	4,300	6.0

Schools	Public	Private	% Private
Folkeskole	1,779	409	18.7
Upper secondary	157	21	11.8

Teachers[1]	Public	Private	% Private
Folkeskole	49,000	5,000	9.3
Upper secondary	7,600	430	5.3

[1] estimated full-time equivalents 1989/90.

10. Index of representative organisations

Frie Grundskolers Faellesraad (Joint Council of the Free Elementary Schools)
Langes Gård 12, 2. tv.
DK - 4200 Slagelse

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Trends

Private schools have a long and glorious tradition in Denmark, starting with N.F.S. Grundtvig and the Danish Folk High School movement, with Christen Kold as founder of the first High School in 1851.

In Denmark, going to a private school is not generally considered "elitist". Private school pupils have no added status or advantages to afford them a smoother passage to upper secondary and higher or university education. At primary and lower secondary level, about 10% of all pupils attend private schools. This proportion has been increasing since the beginning of the '80s but has now apparently stabilised, while the debate on the content and quality of private versus public education has gone on with undiminished fervour.

At upper secondary level, the content and status of the private education sector in Denmark is exactly the same as that of the public sector. No unofficial privileges are attached to having attended certain private institutions, for example, however prestigious. The private schools are a small, mixed group which do not collectively have any influence on the decision-making process. Strong individuals among them may have influence, but that applies to heads of private as well as public institutions.

Participation is stable at the upper secondary level.

There are no plans to reform the status of private education apart from certain moves in the general context of simplifying administrative procedures.

Sources

- Danish EURYDICE Unit : answers to questions EU/91/003/00; GR/88/006/00; NL/89/002/00.
- Education in Denmark : The *Folkeskole*. Copenhagen: Ministry of Education and Research, 1991.- 4 p.
- Education in Denmark : Private Schools in Denmark. Copenhagen : Ministry of Education and Research, 1992. - 4 p.

FEDERAL REPUBLIC OF GERMANY

1. General / Legislative framework

The German Basic Law (*Grundgesetz*) in Article 7, paragraphs 4 and 5, defines the constitutional bases for private education[1]:

- The right to establish private schools is guaranteed. Private schools which serve as an alternative to public schools are subject to State approval and must comply with the laws of the *Land* where they are located. Private schools must be approved if the aims of the education they provide, their facilities and the qualifications of their teaching staff are not inferior to those of public schools and if they do not encourage discrimination between students on the basis of their parents' financial situation. Approval will be refused if the remuneration and legal status of the teaching staff are not adequately guaranteed.
- A private primary school will not be approved unless the public education administration acknowledges it to be of particular pedagogical interest or if, at the request of children's parents or guardians, the school has a special religious, inter-denominational or philosophical orientation and there is not a public primary school of this kind in the area already.

Since the Federal Government has no statutory powers in relation to education, private education is governed by laws and regulations of the *Länder*. The Standing Conference of the Ministers of Education and Cultural Affairs of the *Länder* has provided a uniform legislative framework in its "Convention on private education."

2. Types of schools

There are two types of private schools whose status is quite different: the alternative schools (*Ersatzschulen*) and supplementary schools (*Ergänzungsschulen*). *Ersatzschulen* have basically the same status as public schools and have the same educational objectives. They are an alternative to an existing public school or one which is in principle provided for in a particular *Land*.

Supplementary schools (*Ergänzungsschulen*) are not considered valid substitutes for public institutions. They aim to complement public education by providing courses which are generally not available in State schools, such as some types of vocational training (e.g. for beauticians or physical-fitness teachers).

As far as education law is concerned, these divisions are of more significance than any classification according to the authorities responsible for the schools, whether they are individuals or legal entities, bodies recognised as being in the public interest or non-profit-making organisations, and whether or not they espouse any specific religious or philosophical beliefs.

[1] In the Federal Republic of Germany, pre-school education in kindergartens is not part of organized education and is thus not subject to school inspection. Pre-school education will therefore not be covered in this report. It is nonetheless interesting to note that pre-school establishments set up by private bodies (such as the churches or voluntary bodies) play a major role in terms of the volume of provision (around 70% of pre-school pupils in the *Länder* of the former West Germany).

3. Conditions for setting up schools

The setting up of a private school is subject to compliance with the law and police regulations in relation to town planning, fire protection, hygiene, and the protection of minors. The organising individual or body, the head teacher and the teaching staff must provide proof of good character in the form of a police certificate of good-conduct.

Conditions for establishing alternative schools *(Ersatzschulen)* differ somewhat from those for supplementary schools (*Ergänzungsschulen*). *Ersatzschulen* must obtain State approval, while *Ergänzungsschulen* are required only to announce their opening.

The inspection authorities of the *Land* where a school is located are responsible for granting approval to alternative schools.

4. Financing / Subsidies from public funds / Fees

The Basic Law does not guarantee financial assistance to private schools. The Government is, however, required to ensure private schools' right to exist by virtue of the constitutional entitlement to set up private schools and the prohibition of discrimination among pupils on the basis of their parents' financial situation, which means that pupils may not be required to pay fees covering the entire cost of their education. In practice, all of the *Länder* have legal provisions for financial assistance to private schools, although the amount of aid and conditions for awarding funds vary from one *Land* to the next and have sometimes had to be decided by the courts. In principle, only alternative schools are guaranteed financial assistance under the Basic Law, although supplementary schools in some *Länder* also receive State subsidies if they meet certain conditions. In some *Länder*, all authorised alternative schools receive support, while in others, schools recognised by the State are eligible for larger amounts of aid, the determining factor being whether the school's organising body has been acknowledged as serving the public interest. Some *Länder* also impose additional conditions.

Financial support may take various forms. All of the *Länder* guarantee eligible schools "normal" financial assistance in the form of subsidies to meet salary and running costs. Such aid may be a lump sum based on the number of pupils and teachers and may vary according to the *Land* or the type of school, or the school may have to provide a detailed account of its financial needs and will receive a certain percentage by way of subsidy. In any event, an index of the costs of State education serves as a reference. In addition to normal financial assistance, other forms of subsidies are available towards construction costs, the purchase of textbooks and educational materials which pupils may borrow, and teachers' pension funds, or to pay the salaries of teachers who become redundant. There are also indirect subsidies in the form of tax allowances and payments to parents or pupils to meet fees or transport costs. The *Land* and, to a lesser extent, local authorities fund these subsidies.

Private schools continue to require payment of fees which cover a certain percentage of their actual expenses. *Ersatzschulen* must adjust their fees to comply with the legislation prohibiting discrimination among students on the basis of their parents' financial situation.

5. Conditions regarding curricula, timetables and teaching methods

Alternative schools (*Ersatzschulen*) must, to be approved, provide the same level of instruction as State schools with equivalent objectives and programmes. They are not required to follow the same timetables or teaching programmes as State schools and are free to choose the textbooks they use.

Private schools may also promote specific religious or philosophical views and apply their own teaching methods.

However, such establishments must conform as regards teaching materials and some matters of internal organisation.

6. Status of qualifications awarded

Approval to an *Ersatzschule* does not automatically give it the right to administer examinations or to award school-leaving certificates corresponding to State school diplomas. Pupils may obtain such qualifications only by taking outside examinations. Only if an alternative school is recognised by the State may it administer examinations and award diplomas equivalent to those granted by State schools. To gain recognition, the school must prove its long-term capacity to comply with the conditions of approval (a solid financial footing, a stable teaching staff, and consistent enrolment) and must apply the regulations applicable to State schools to the admission and promotion of pupils from one year to the next, and to the administration of examinations

7. Appointment / Status / Terms and conditions of service of teachers

In theory, private schools have complete freedom to choose their teaching staff. The State is not responsible for hiring either head teachers or teachers. However, if the State authorises the creation of an alternative school (*Ersatzschule*), the academic education and teacher training of its teaching staff should be equivalent to those of teachers in State schools[1]. The school must provide for teachers' financial and legal security in the main by providing a written employment contract, remuneration not significantly lower than that paid to other teachers, and retirement pension rights. Denominational schools provide employment conditions somewhat similar to those in State schools, particularly in terms of health care and retirement pensions.

In several *Länder*, State school teachers may transfer to alternative schools. Time spent teaching in private schools may be assimilated to that in the civil service, and this provides for some mobility between private and State schools. This applies at least in relation to transfers from State schools to private schools; if a teacher complies with all the requirements of the civil service regulations, he or she may also transfer from a private to a State school if the *Land* has a need for teachers in his or her particular subject area.

[1] Studies leading to qualification to teach in public schools include university study of two subjects and specific training in the teaching of these subjects, studies in educational sciences and teacher training, and two State examinations.
In practice, most teachers working in alternative schools have received academic training and passed two State exams.

Teachers may also transfer without restriction between regions, within the private-school network, or from State schools to private schools, as far as the need exists.

8. Inspection

Under the Basic Law, private schools are also subject to State inspection. Supplementary schools (*Ergänzungsschulen*) are basically required to provide information and reports to the education authorities, while alternative schools (*Ersatzschulen*) authorised to administer examinations and award diplomas are subject to the same inspection regime as State schools.

9. Statistics

1989/90

Pupils	Total State and private education	Private	% Private
Grundschule (Primary school)	2,449,711	26,644	1.0
Orienterungsstufe[1] (Orientation stage)	210,085	7,852	3.7
Hauptschule (Lower secondary school)	1,043,976	18,514	1.8
Realschule (Lower general sec. school)	857,218	71,026	8.3
Gymnasium (General secondary school)	1,545,577	187,407	12.1
Gesamtschule (Comprehensive school)	224,536	3,841	1.7
Freie Waldorfschule[2]		48,465	
Sonderschule (Special school)	246,278	41,103	16.7

Schools	Total State and private education	Private	% Private
Grundschule (Primary school)	13,585	205	1.5
Orienterungsstufe[1] (Orientation stage)	1,124	48	4.3
Hauptschule (Lower secondary school)	5,889	162	2.7
Realschule (Lower general sec. school)	2,573	247	9.6
Gymnasium (General secondary school)	2,462	330	13.4
Gesamtschule (Comprehensive school)	314	10	3.2
Freie Waldorfschule[2]		108	
Sonderschule (Special school)	2,762	496	17.9

[1] Orientation stages exist independent of school type in some *Länder*.

[2] The "*Freie Waldorfschulen*" are actually private schools but are treated as a separate category for statistical purposes, as they are manifestly different from any other type of school.

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Teachers[3]	Total State and private education	Private	% Private
Grundschule (Primary school)	134,241	1,434	1.0
Orienterungsstufe[1] (Orientation stage)	13,960	563	4.0
Hauptschule (Lower secondary school)	81,525	1,375	1.7
Realschule (Lower general sec. school)	57,632	4,401	7.6
Gymnasium (General secondary school)	121,854	14,110	11.6
Gesamtschule (Comprehensive school)	27,586	499	1.8
Freie Waldorfschule[2]		3,456	
Sonderschule (Special school)	42,128	8,238	16.7

[1] Orientation stages exist independent of school type in some Länder.

[2] The "Freie Waldorfschulen" are theoretically private schools, but are treated as a separate category for statistical purposes, as they are different from any other type of school.

[3] Full or part-time employees.

Sources :

- Federal Statistical Office. Statistics are from 1989 and do not cover the five "new *Länder*" of the former GDR, which joined the Federal Republic on 3 October 1990. Only general educational establishments were included.

10. Index of representative organisations

- Arbeitsgemeinschaft freier Schulen
  Verbände gemeinnütziger Schulen in freier Trägerschaft
  Am Schlachtensee 2 - D - 1000 Berlin 37
- Arbeitskreis katholischer Schulen in freier Trägerschaft
  Kaiserstrasse 163 - D - 5300 Bonn
- Arbeitsgemeinschaft Evangelischer Schulbünde e.V.
  Moselweg 66 - D - 4800 Bielefeld 11
- Bund der Freien Waldorfschulen e.V.
  Heidehofstrasse 32 - D - 7000 Stuttgart 1
- Vereinigung deutscher Landerziehungsheime
  Am Schlachtensee 2 - D - 1000 Berlin 37
- Schulen in freier Trägerschaft - Bundesverband Deutscher Privatschulen
  Bundesgeschäftsstelle
  Darmstädter Landstrasse 85 A - D - 6000 Frankfurt am Main 70

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Trends

By protecting the right to set up private schools, the Basic Law prevents a State monopoly in education, although State schools are preponderant. Criteria for approval and financial assistance to private schools are based upon those applied to State schools. Educational concepts deriving from the private-school movement, however, have made a significant contribution to progress in public education. Private schools have set up associations to represent them in dealings with the official bodies, although there is no institutionalised cooperation between these associations and education authorities. The two groups have met to discuss issues affecting private schools, such as financial aid and reflections on the curricula. No reform of legislation on private schools is currently planned.

There are legal bases for establishing private schools in the *Länder* of the former GDR and, since it became legal to found private schools in 1990, a number of schools have already been set up.

In the "old *Länder*" of the Federal Republic, new private schools are established very infrequently. The percentage of pupils enrolled in private schools has nonetheless grown slightly over the past 15 years. It is highly unlikely that private-school enrolment will ever overtake public-school enrolment, however, as the current percentage of pupils attending private schools is well below 10%.

Sources

- EURYDICE Unit of the FRG (Länder): answers to questions EU/91/003/00; GR/88/006/00.
- The Non-State Sector in Education in Europe: a Conceptual and Historical Analysis./ Guy Neave. Amsterdam: the European Cultural Foundation, 1985.- p. 321-337.- (European Journal of Education; vol. 20, 4).- ISSN 0141 - 8211.

GREECE

1. General / Legislative framework

The Greek Constitution of 11 June 1975 permits the establishment of private schools alongside State establishments in accordance with conditions set out in Article 16 (par. 8). The same article prohibits the setting up of university-level institutions by private citizens or bodies.

Private schools are subject to Law 682/77 "concerning private general education schools and boarding schools" and to Law 1566/85 and Royal Decree 685/72 on private schools for technical vocational education.

The foundation of private schools for Secondary Technical and Vocational Education is now allowed. The terms, conditions and procedures are laid down by Royal Decree 685/72 and by Presidential Decree 813/77.

The Law 1966/91 (Articles 13 and 14) now regulates matters concerning the control of private schools for technical and vocational training as well as "workshops for free studies"[1].

2. Types of schools

The private schools provide general education or technical and vocational education. These schools can be founded by Greeks or by bodies corporate comprising a majority of Greeks.

In addition to Greek private schools, there are American, English, German, Italian and Japanese private schools. They operate on the basis of the provisions of Law 4862 of 1931 on "Foreign Schools" and provide education in three cycles - Nursery, Primary and Secondary (*Gymnasia* and *Lykeia* for foreign pupils living in Greece).

Fifteen foreign schools have been set up by virtue of the above legislation. They also provide education for Greek secondary school pupils on the basis of the curricula determined by the Greek Ministry of Education and Religious Affairs. The certificates awarded by these foreign schools are equivalent to those granted by the other private schools.

3. Conditions for setting up schools

The conditions for setting up private schools are defined in Articles 6 and 7 of Law 682/77.

The private schools come under the Ministry of Education and Religious Affairs and are controlled by the regional inspectorate responsible.

[1] Private establishments at tertiary level.

Private general schools are set up by order of the Minister of Education and Religious Affairs on the recommendation of the competent Regional Board of Primary and Secondary Education in the region where the school will be operating.

Private technical and vocational schools are established on the recommendation of the Regional Council for Vocational Education.

4. Financing / Subsidies from public funds / Fees

The private schools receive no funding, apart from those few regarded as being equivalent to the State schools.

Private general secondary schools belonging to non-profit-making organisations may be supported financially via appropriations entered in the general budget of the Ministry of Education. The level of this support is decided by the Minister, according to Law 682/77.

Pupils pay fees for tuition but textbooks are provided free, as in State schools.

Private technical and vocational schools cannot receive grants and are funded by their students' fees which are fixed by the Ministry of Finance. Students attending these establishments may be given financial assistance subject to ministerial decision (Law 576/77, Article 54). The amount of any such assistance is determined jointly by the Ministers of Finance and Education.

5. Conditions regarding curricula, timetables and teaching methods

The curricula of private general and technical/vocational schools are the same as those followed in the public schools. Possible initiatives in relation to their content require the approval of the Ministry of Education. The education must conform to the definition in the Greek Constitution and it must not promote any particular political party. Arrangements for the beginning and end of the school year, enrolments, transfers, absences, tests, grades, discipline, promotion from class to class and examinations are the same as in State schools. Private day schools operate in the morning; exceptionally, they may be open in the afternoon with the approval of the Ministry.

6. Status of qualifications awarded

The certificates awarded by private primary and lower general secondary schools (*Gymnasia* for pupils aged 12-15) rank equally with their State equivalents, without any special procedure having to be followed. Certificates must be in the Greek language.

However, at the upper secondary level (private general *lykeia*), pupils in all three classes have to sit written class promotion examinations in all subjects at the end of each school year under the supervision of a joint board of private and State school teachers. Private general *lykeia* are not permitted to award leaving certificates to pupils who have not passed these examinations.

7. Appointment / Status / Terms and conditions of service of teachers

The teaching staff are appointed by the Director of the Directorate or of the Office of Primary and Secondary Education on the proposal of the school proprietor, in accordance with Article 30 of Law 682/77.

The staff cannot be transferred to State schools. However, private school teachers with a contract for a fixed or indefinite period who are dismissed because their school has closed down (Art. 30 par. 8 and 9 of Law 682/77) or their contract has expired (Art. 33 par. 4 of Law 682/77), may apply for a corresponding position in a State school, under a private contract of employment for an indefinite period (Art. 30 par. 9 of Law 682/77 and Art. 62 of Law 1566/85).

State school teachers are prohibited by virtue of Law 1566/85, Art. 14 par.17, from teaching in private schools.

Teaching hours for full-time teachers in private schools are the same as those for teachers in State schools.

Teachers in private schools receive at least the same remuneration as their counterparts in the State schools.

8. Inspection

Private and State schools are subject to the same inspectorate, i.e. the local Directorates and local Offices of Primary and Secondary Education, in accordance with the current legal provisions.

Inspection relates to the adequacy of staffing, pupil numbers per class, transfers from State-run schools to private schools, the composition of the examining boards responsible for class promotion examinations at the *lykeia*, the awarding of leaving certificates and, on occasion, the school textbooks.

In accordance with Law 1966/91, a committee is responsible for monitoring the observance of current legal provisions concerning the foundation, organisation and functioning of private schools for technical and vocational education and "workshops for free studies". This is chaired by the Permanent Head of the Ministry of Education and Religious Affairs.

9. Statistics

1989/90

Pupils	Public	Private	% Private
Pre-school	127,573	6,870	5.1
Primary	761,045	46,802	5.8
Gymnasia	424,652	16,697	3.8
Lykeia	240,789	12,222	4.8
Technical and vocational *Lykeia (TEL)*	79,883	6,761	7.8
Technical vocational schools *(TES)*	18,209	5,616	23.6

Schools	Public	Private	% Private
Pre-school	5,241	144	2.6
Primary	7,422	166	2.2
Gymnasia	1,738	75	4.1
Lykeia	1,075	60	5.3
Technical and vocational *Lykeia (TEL)*	250	19	7.0
Technical vocational schools *(TES)*	108	27	20.0

Teachers	Public	Private	% Private
Pre-school	7,290	454	5.4
Primary	40,313	2,024	4.8
Gymnasia	26,971	1,365	4.8
Lykeia	17,913	1,067	5.6
Technical and vocational *Lykeia (TEL)*	7,722	524	6.3
Technical vocational schools *(TES)*	2,182	604	21.7

Source : - Greek EURYDICE Unit.

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10. Index of representative organisations

- Panelinii Sindesmi Idioctiton
  Idioticen Tecnicon Epanghelmaticon Ke
  Naftikon Scolicon Monadon / Panhellenic Association of Proprietors of Private Technical Vocational and Naval schools
  Emanouil Benaki 59
  GR - Athens 106 81
- Sindesmos Idriton Elinicon Idioticon Ecpedeftirion / Association of Founders of Private schools in Greece
  Nikis 26
  GR - Athens 105 57
- Omospondia Idriton Elinicon Idioticon Ecpedeftirion / Federation of Founders of Private schools in Greece
  Nikis 26
  GR - Athens 105 57

Sources

- Greek EURYDICE Unit: replies to questions EU/91/003/00; GR/88/006/00; NL/89/002/00.
- The Education System in Greece. Brussels: EURYDICE European Unit, June 1984.- 19 p.
- The Greek Education System. Brussels: EURYDICE European Unit; Greek EURYDICE Unit, 1988.- 30 p + annexes. Revised edition.
- Laws 682/77; 576/77; 1966/91.

SPAIN

1. General / Legislative framework

Article 27 of the Spanish Constitution of 1978 is devoted entirely to education and stipulates that :

- Individuals and legal entities have the right to set up educational establishments in accordance with constitutional principles.
- Teachers, parents, and, in some cases, pupils, may participate in the supervision and management of all establishments receiving government subsidies, within legal limits.
- The government will assist educational establishments which meet legal requirements.

Organic Law No. 8 of 3 July 1985 on the right to education (the LODE - *Ley Organica de Derecho a la Educación*) provides for an integrated network of public and subsidised private schools which have signed agreements with the government.

Royal Decree No. 2377 of 18 December 1985 granted approval to a regulation on basic standards for education agreements.

Organic Law No. 1 of 3 October 1990, concerning the general organisation of the educational system (the LOGSE - *Ley de Ordenación del Sistema General Educativo*), provides for a restructuring of the education system up to but not including university level, and applies to both public and private schools.

2. Types of schools

Private schools are defined as those founded by private individuals or legal entities registered as such with the competent education administration (LODE, Articles 10 and 13).

Private establishments are generally classified by their administrative authority — usually an association, the Catholic Church or other religious group.

Private schools may also be divided into **subsidised** *(centros concertados)* and **non-subsidised** *(centros no concertados)* establishments, depending on whether they receive government aid.

Non-subsidised private schools do not participate in an agreement scheme (see item 4), and are subject to a general approval regime.

Under the LODE, **non-subsidised private schools** enjoy complete freedom of internal organisation, choice of teachers, admission requirements, rules of conduct, and financial administration.

Subsidised private schools, on the other hand, must :

- provide instruction at the agreed level free of charge;
- provide the schools' extra activities on a non-discriminatory, non-profit-making, optional basis; approval is required to receive funds for this type of activity;
- provide the courses specified in the agreement, and maintain the average pupil/teacher ratio set by the government;
- inform the public of the subsidised nature of the establishment and, where appropriate, of its special character;

- comply with all the provisions of Title IV of the LODE concerning the school community's participation in the control and management of State-subsidised schools, including the appointment and operation of a School Council, recruitment of a head teacher, and hiring and firing of teaching staff, and regarding the protection of pupils' rights to freedom of conscience, their optional participation in religious observances, and admissions, in accordance with the procedures established for State schools.

3. Conditions for setting up schools

Article 14 of the LODE stipulates that all educational establishments must meet certain minimum conditions so that the quality of instruction provided is guaranteed. These conditions must be set out in government regulations and cover the degrees and qualifications of teaching staff, the pupil/teacher ratio, school and sports facilities, and the number of places available.

Article 23 of this same law, as amended by the sixth supplementary provision of the LOGSE, sets up a requirement for prior government approval to the establishment and operation of private schools which will only be granted if the minimum conditions referred to above are met.

Following the adoption of the LOGSE, which provided for new programmes and levels of instruction, Royal Decree No. 1004 of 14 June 1991 set out minimum conditions which all educational establishments must meet under Title I of the LOGSE, which covers nursery, primary and secondary education, vocational training, and special education.

The general provisions of this Royal Decree stipulate that educational establishments must :

- be located in buildings used only for educational purposes;
- comply with existing legislation relating to health, noise-levels, capacity, and safety;
- be designed so as to allow access for physically handicapped pupils, in accordance with the relevant legislation.

4. Financing / Subsidies from public funds / Fees

Methods of financing private schools vary according to the type of agreement a particular establishment has entered into with the State.

Private schools receiving public subsidies are subject to the **agreement scheme** described in Title IV of the LODE for **approved schools**. This scheme sets out the reciprocal rights and obligations of the government and the head teacher, as the two parties to the agreement.

Spanish law provides for two types of agreement scheme : **standard agreements** ***(regimen general)*** governing private schools providing basic education at the compulsory stage with full government funding; and **special agreements** ***(regimen particular)*** with schools which are financed by both government subsidies and pupils' fees. Since 1989/90, special agreements are no longer approved at the level of compulsory education.

Effective participation in the agreement scheme for private schools which have already been approved depends on availability of funds. Thus, schools which provide education

in areas of significant need or serve disadvantaged groups, or, in addition to meeting these conditions, are conducting experiments of interest to the education system, will be given priority. Where all other factors are equal, cooperative schools will be given priority.

In order to participate in the agreement scheme, private schools must meet the minimum conditions laid down in the LODE, be authorised to provide the instruction referred to in the agreement, and be able to assume the obligations stipulated therein.

Agreements cover a period of four years, may be renewed or modified, and set out the rights and obligations of the government and the head teacher of the establishment signing the agreement.

The government is required to contribute towards financing the subsidised school on the basis of the funding formula established for each class in its general budget. This should guarantee that education is provided free of charge and is broken down as follows :

- remuneration of teaching staff, including their social security contributions;
- payment of other expenses (salaries for administrative and service staff, ordinary maintenance costs, and reconstitution of capital);
- payment of costs related to head teachers' seniority increases, replacement and support, and to teachers carrying out trade union representative functions.

These amounts are determined in the government's annual Finance Act.

Without prejudice to the general agreement scheme, the government provides, as a part of its budgeted expenditure, aid to finance investment in facilities and teaching materials.

In recent years, the Ministry of Labour, through the Directorate-General for Cooperatives, has been granting subsidies to educational cooperatives to pay the interest on loans they have taken out to finance investment in schools.

Subsidised schools are also eligible for the tax and other advantages granted to charitable organisations.

Subsidised schools are required to provide the instruction described in their agreements with the government free of charge. Any charge to pupils for extra-curricular activities or school services, such as school meals, transportation to and from school, medical treatment, psychological counselling or special educational help must be authorised by the competent educational authorities.

Non-subsidised private schools have complete financial autonomy.

5. Conditions regarding curricula, timetables and teaching methods

In order to ensure that all pupils receive the same basic education, and to guarantee the status of qualifications awarded, the government has defined a core curriculum (*enseñanzas minimas*) for which it has laid down the aims, content, and evaluation criteria. The government also sets timetables for the basic elements of the *enseñanzas minimas*.

Educational establishments are free to choose which optional subjects to teach, to adapt curricula to conditions in the area where they are located, to choose their teaching methods, and to organise curricular and extra-curricular cultural activities as they see fit.

All of these provisions apply to both public and private education.

Private-school proprietors have the right to define the character and associations of their establishment within the framework provided by the constitution and insofar as they respect the rights of teachers, parents, and pupils. They are required to inform the educational community of these.

6. Status of qualifications awarded

The setting up and management of private schools providing education under the standard or special agreement schemes require government authorisation which is granted if they meet certain minimum conditions. Such schools then have full powers in academic matters.

Private schools which provide instruction which does not lead to a recognised academic qualification are subject to the general law and may not use any of the official designations applicable to educational establishments.

7. Appointment / Status / Terms and conditions of service of teachers

Private schools have complete freedom concerning recruitment of teachers, limited only by the requirement that candidates hold the necessary qualifications for teaching the particular subject at the particular level for which they are appointed.

In general, access to teaching posts in private schools is through recruitment, which must be carried out in accordance with the law. The LODE prescribes, in particular, criteria for the hiring and firing of teachers in subsidised schools.

The rights of teachers in private schools include an open-ended contract which may be terminated at the teacher's request, holidays, special leave, personal leave, retirement benefits (with some differences from schemes for public-school teachers), and social security.

Official leave, holiday and special leave allowances for teachers are the same in the public and private sectors.

Private-school teachers providing the same services as public-school teachers generally teach more hours and receive lower salaries, although the situation is expected to improve.

Salaries for teachers in subsidised schools are met from the government's general budget. The government pays these salaries directly to teachers on behalf of the school proprietor as their employer.

Salaries are determined by framework conventions covering the various levels of private-sector education.

There are no specific regulations on teacher transfers within the private sector, in contrast to the public sector, where transfers are awarded on the basis of performance in an annual competitive examination.

Similarly, teachers may not transfer automatically from the private sector to the public sector, which teachers also enter through a competitive examination. However, teaching experience in a private school is taken into consideration in the evaluation of examination candidates, as specified in all relevant public notices.

8. Inspection

The Ministry of Education and Science, through its Technical Inspectorate for Education, inspects both public and private schools and their curricula, activities, and services up to but not including the university level. The purpose of this inspectorate is to ensure compliance with all regulations on teaching methods and course content, as well as the general and financial administration of schools; to contribute to the evaluation of the results of the educational process; and to provide advice, support, and guidance to the educational community.

9. Statistics

1989/90

Pupils	Public	Private	% Private in 1989/90	% Private in 1990/91[1]
Pre-school	617,559	382,742	38.3	38.9
EGB (Basic General Education)	3,314,759	1,766,232	34.8	34.9
BUP-COU[2] (Upper secondary education-university orientation course)	1,048,279	422,537	28.7	29.0
Vocational training	552,805	264,294	32.3	31.2

Schools	Public	Private	% Private in 1989/90	% Private in 1990/91[1]
Pre-school[3]	1,009	1,041	50.8	53.2
EGB (Basic General Education)	14,708	4,561	23.7	23.9
BUP-COU (Upper secondary education-university orientation course)	1,624	1,395	46.2	45.4
Vocational training	1,146	1,114	49.3	48.8

Teachers	Public	Private	% Private in 1989/90	% Private in 1990/91[1]
Pre-school	26,184	12,680	32.6	33.0
EGB (Basic General Education)	156,950	71,185	31.2	29.9
BUP-COU (Upper secondary education-university orientation course)	66,938	25,280	27.4	26.7
Vocational training	44,786	14,773	24.8	23.6

[1] Provisional data.
[2] Excluding pupils involved in the experimental programme of secondary education.
[3] Schools providing only pre-school education.

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10. Index of representative organisations

A. Teachers' associations : national unions

CCOO	Comisiones Obreras C/ Lope de Vega, 38 - E - 28014 Madrid
CNT	Confederacion Nacional del Trabajo C/ Sagunto, 15 - E - 28010 Madrid
FETE-UGT	Federacion de Trabajadores de la Enseñanza C/ Avda. de America, s/n - E - 28002 Madrid
FSIE	Federacion de Sindicatos Independientes de la Enseñanza C/ Comandante Zorita, 6 - E - 28020 Madrid
UCSTE	Union Confederal de Sindicatos de Trabajadores de la Ensenañza C/ Tirso de Molina, 5 - E - 28012 Madrid
USO	Union Sindical Obrera C/ Principe de Vergara, 13-7 - E - 28001 Madrid
STEC	Sindicato de Trabajadores de la Enseñanza Confederada C/ Carretas, 14 - 7°F - E - 28012 Madrid

B. Parents Associations

CEAPA	Confederación Española de Asociaciones de Padres de Alumnos Plaza Puerta del Sol, 4 - 6°A - E - 28013 Madrid
CONCAPA	Confederación Catolica de Padres de Alumnos Alfonso XI, 4 - E - 28014 Madrid

C. Associations of private schools

CECE	Confederación Española de Centros de Enseñanza C/ Espanoleto, 19 - 2° - E - 28010 Madrid
FERE	Federacion Española de Religiosos de Enseñanza C/ Conde de Peñalver, 45 - 4° - E - 28006 Madrid
ACADE	Asociación de Centros Autónomos de Enseñanza C/ Ramon Santillan, 12 - E - 28016 Madrid
UECOE	Unión Española de Cooperativas de Enseñanza P/ Conde del Valle de Suchil, 15 - E - 28015 Madrid
CCEG	Confederacion de Centros Educacion y Gestión C/ Diego de Leon 22 - 5° izda. E - 28006 Madrid

Trends

Historically, private education - and denominational education in particular - has held a special position in the Spanish educational system.

Currently, despite strong growth in the public sector during the 1980's, private education still occupies an important place in the Spanish system. The 1978 Constitution officially recognises its existence and its right to government aid under certain conditions.

With eligibility for public funding, private education has acquired an important position, accounting for a significant proportion of schools and pupils (around 30%, varying from one level or one region to another). The existence of agreements with the government has created a distinction between strictly private schools, which receive no government funds, and subsidised establishments, which do.

The private sector is far from homogeneous. In addition to the division between subsidised and non-subsidised schools, there are denominational schools and schools with no religious affiliation, and distinctions may also be made between types of school ownership (individual, limited-company, association, religious congregation or cooperative etc.), schools' location and the socio-economic background of their pupils.

The private education sector is represented on the consultative bodies of the authorities responsible for education. Thus the Schools Council of the State includes four proprietors of private schools nominated by the associations which are considered most representative of employers; eight teachers from the private sector (five pre-school or primary teachers and three secondary, vocational or art education teachers); twelve parents chosen by the most representative confederations of parents associations, several of which are associated with the private sector.

Representatives of the private sector also serve as members on the School Councils of the Autonomous Communities, which have "full powers" in the field of education (Catalonia, the Basque Country, Valencia, the Canary Islands, Galicia, Navarre and Andalusia).

Several private-school associations, including the Confederación Española de Centros de Enseñanza (CECE), receive from the Ministry of Education and Science financial aid in support of some of their research and teacher-training activities. In May 1990, the Education Minister himself chaired the opening session of the XVIII National Congress on Private Education sponsored by the CECE, in which several representatives of the Ministry participated.

The number of pupils attending private schools as a percentage of total enrolment in the Spanish educational system is relatively constant. A period of stabilisation followed the adoption of the LODE in 1985 and the entry into force of the new system of agreements.

Some minor changes may result from the introduction of compulsory secondary education under the LOGSE, and the policy of agreements with private schools may then have to be reviewed. The Minister of Education and Science supports keeping the current financial balance between public and private education.

There are no significant plans to reform the status of private education.

Sources

- Spanish EURYDICE Unit: answers to questions EU/91/003/00; GR/88/006/00; NL/89/002/00.
- El sistema educativo español 1991. Madrid: Ministerio de Educación y Ciencia, 1992.- 260 p.

FRANCE

1. General / Legislative framework

Freedom of education, defined as the coexistence of public and private establishments within the education system, is guaranteed by the French Constitution. In addition, the European Convention on Human Rights and Basic Freedoms, which France ratified in 1974, and the New York agreement on economic, social, and cultural rights, ratified in 1981, also promote freedom of education.

Three French education laws define private educational establishments - schools other than those administered directly by the statutory authorities - as schools set up and managed by private individuals or bodies corporate.

This definition, from Article 17 of the Falloux law of 15 March 1850, which now only applies to private secondary education, is taken up in Article 2 of the law of 30 October 1886 on primary education, and again in Article 1 of the decree of 9 January 1934 amending application of the Astier law of 25 July 1919 on technical education.

2. Types of schools

Private schools which meet certain conditions may apply to conclude with the State a *contrat simple* or "simple contract" (for primary schools only) or a *contrat d'association* or "association contract" with public education (primary, general and technical secondary schools).

To obtain a *contrat simple*, a school must have been open for at least five years before the contract takes effect; however, the Prefect may decide to reduce this period to one year in new areas of urban development with at least 300 new housing units.

The school's facilities for the classes in question must meet health and safety requirements.

The numbers of pupils may not exceed those allowed in corresponding classes in public schools in similar situations where operating conditions are equivalent. Moreover, contracts can only be granted within the limits of available budget resources. The *contrat simple* has a duration of at least three years.

To qualify for a *contrat d'association* (within the limits of available funding), a school must not only meet the same conditions in relation to its period of operation, facilities, and number of pupils as for a *contrat simple*, but also meet a "recognised need", in particular by virtue of its special character.

A *contrat d'association* is concluded for an unlimited term.

3. Conditions for setting up schools

Any individual, association, company, trade union or private group may open a private school of any type, subject to submission of a prior declaration of intent by the individual responsible for running it, in the case of primary or secondary schools, or, in the case of technical schools, by a person appointed by the organisation in charge.

4. Financing / Subsidies from public funds / Fees

Public aid for private educational establishments is a complex issue, many distinctions having to be made between schools under contract and without a contract; between primary, secondary, and technical schools; between revenue and capital expenditure; and between national- and local-level assistance.

The State meets the costs of salaries and initial and continuing training for teachers in private schools under a contract, whether *simple* or *d'association*. Schools under *contrat simple* with the State, which thus assumes teachers' salary costs, must reduce the fees charged to parents, although the amounts charged must be sufficient to balance the budget of the classes involved.

Day-schools under a *contrat d'association*, however, are non fee-paying, although parents may be asked to contribute an amount set out in the contract to cover building, equipment, and religious instruction costs.

Operating expenses for class materials of schools under a *contrat d'association* are met on the same basis as those of corresponding classes in public schools.

At **primary-school level**, the municipality where a school is located is responsible for funding school operating expenses for pupils resident in its jurisdiction. Funding provided per child *(forfait communal)* must be equal to the average cost of educating a day pupil at the same level in a public school of comparable size.

At **secondary level,** the running costs of private schools under a *contrat d'association* are met by the *département*, in respect of lower secondary schools *(collèges)*, and the region in respect of upper secondary schools *(lycées)*. A standard grant *(forfait d'externat)* is paid annually in respect of each pupil, based on the same criteria as for the corresponding classes in the public sector. The State reimburses the local authorities for these new burdens, which have fallen on them as a result of the recent legislation on administrative decentralisation, by transferring to them a lump sum to enable them to meet the cost.

Municipalities may not defray any part of the running cost of private primary schools without a contract. Local and regional authorities are, however, authorised to subsidise private technical and secondary schools, according to a legal opinion of the *Conseil d'Etat*.

The State will guarantee loans which private schools under either a *contrat simple* or a *contrat d'association* take out to finance **capital expenditure** such as the acquisition, building, or improvement of facilities. Such guarantees may also be given at local level.

The State also finances the purchase of the computer equipment necessary for implementing the curriculum in these classes. Local government may in addition contribute to the cost of additional computer equipment up to the amount of aid provided to public schools under their jurisdiction.

5. Conditions regarding curricula, timetables and teaching methods

Head teachers of private schools, whether under contract or not, have sole responsibility for the running of the school, school life, and the organisation of school work.

Head teachers of private schools under contract are responsible for ensuring that the school's timetable and curriculum comply with public school rules in these areas (under a *contrat d'association*), or must use these rules as a guideline (under a *contrat simple*).

Non-contract private schools are required only to enforce the school attendance regulations and the educational goals set out in their original declaration of principles.

6. Status of qualifications awarded

As a general rule, private school diplomas or certificates have no official status. These establishments prepare pupils for the public examinations on the basis of which the State school-leaving diplomas are awarded.

The law of 18 March 1830 giving the State a monopoly on university degrees prohibits private schools from granting qualifications bearing the name *baccalauréat*, *licence*, or *doctorat*.

Regulations on technical education also prohibit private schools from awarding technical diplomas purporting to confer vocational qualifications and only permit private establishments to grant attendance certificates. However, the Ministry of Education may allow some private technical schools to award diplomas in accordance with conditions laid down by Ministerial Decree, the board of examiners being appointed by the Minister.

7. Appointment / Status / Terms and conditions of service of teachers

Teachers in non-contract private schools are considered to be private-sector employees, and their appointment, salaries and job security are regulated by the labour laws and by any conventions to which their employers may subscribe.

Teachers in schools under *contrat d'association* with the State have the status of unestablished civil servants. They are appointed by the education district authorities in consultation with the head teacher.

In schools under *contrat simple*, the school body chooses teachers who must then be approved by the education district authorities. Approved teachers are classified as private-sector employees, even though their salaries are paid by the State.

8. Inspection

Education in private schools under contract is subject to State inspection.

This inspection deals in particular with the school's compliance with the regulations on curriculum and timetables, pupils' freedom of conscience as required by the law, which also requires these schools to be open to all children, regardless of origin, opinions, or beliefs.

Teachers in these schools are subject to (annual) reporting, undertaken by the education district authorities as well as by the head teacher, who submits a report to the district authorities which is taken into account for career planning and promotion in the same way as for teachers, who have the status of civil servants, in public schools.

Private schools under contract are also subject to State administrative and financial audit.

Private establishments set up by foreign individuals are subject to the same inspection regime as private schools not under contract to the State. This inspection is limited to verification of compliance with the regulations regarding the qualifications of head teachers and teachers, school attendance, respect for public order and moral standards, and health and safety regulations. As far as teaching is concerned, inspection of these private schools is limited to ensuring that it does not violate moral principles, the Constitution, or the laws of the country.

9. Statistics

1990/91

Pupils	Total public	Total private	% private
Pre-school	2,241,008	314,676	12.3
Primary[1]	3,475,445	608,143	14.9
Secondary, 1st cycle[1]	2,603,843	651,818	20.0
Secondary, 2nd cycle (general and technological)	1,243,548	327,428	20.8
Secondary, 2nd cycle (vocational)	534,192	162,555	23.3

School	Total public	Total private	% private
Pre-primary (nursery schools)	18,436	414	2.2
Elementary[2] (primary schools)	38,227	5,904	13.4
Secondary (*collèges*, vocational *lycées*, *lycées*)	7,455	3,870	34.2

[1] Not including special education.

[2] Special schools have been included under primary schools since 1989-90.

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Private education under contract

A very high proportion of private primary and secondary schools are under contract.

In 1989/90, 98.5% of private primary-school pupils attended contract schools (not including preparatory and special education classes), compared to 94.4% in 1987/88 and 98.0% in 1988/89.

At secondary level, 94.6% of private pupils were enrolled in contract schools in 1989/90, compared to 94.1% in 1988/89; the figures were 98.5% for the first cycle, 91.9% for the general and technical second cycle, and 85.1% for the vocational second cycle.

In the general and technical second cycle, the number of private pupils in non-contract schools increased between the fifth and sixth years, and between the sixth and final years, where 11.2% of pupils attended non-contract establishments.

Teachers

In 1989/90, teachers in primary contract schools numbered 42,200 in mainland France, or 12.4% of the total number of State-salaried primary-school teachers.

Of this number, 47.9% taught in schools under a *contrat d'association*, and 52.1% in *contrat simple* schools. The proportion of teachers working in association schools has risen steadily from 36% in 1983/84.

There are very marked variations in the numbers of teachers working under *contrat d'association* from one department and educational district to another.

No exact figures on the number of teachers employed in private non-contract schools in 1989/90 are available, but they were in the hundreds (there were 627 in 1983/84).

Teachers in contract secondary schools, and thus paid by the State, totalled 82,400 in mainland France in 1989/ 90, or 19.05% of State-salaried secondary teachers.

Nearly all of these teachers were working in schools under a *contrat d'association*.

No exact figures on the number of teachers employed in non-contract *lycees* and *collèges* are available for 1989/90, but they numbered 8,150 in 1983/84.

Subsidies for private education as a percentage of current public expenditure on education					
1975	11.7				
1980	12.4				
1988	12.5				
Distribution of subsidies for private education by level of instruction					
1987	Pre-Primary	Primary	Secondary	University	Not distributed
	7.0	13.0	46.9	4.9	27.5

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Sources :

- Repères et références statistiques sur les enseignements et la formation: année scolaire et universitaire 1989-1990. Vanves: Ministère de l'Education Nationale, de la Jeunesse et des Sports, 1991.- 274 p.
- Education expenditure - cost and financing: an analysis of trends: 1970-1988. Paris: OECD, October 1991.- 221 p.

10. Index of representative organisations

UNAPEL

Union Nationale des Associations de Parents d'Elèves de l'Enseignement Libre
277, rue Saint Jacques - F - 75005 Paris

APEEC

Fédération Nationale des Associations de Parents d'Eleves de l'Enseignement Catholique
6, rue du Transvaal - F - 44300 Nantes

Secrétariat Général de l'Enseignement Catholique
277, rue Saint Jacques - F - 75005 Paris

Union Nationale de l'Enseignement Technique Privé
22, rue Pierre Nicole - F - 75005 Paris

Fédération Nationale de l'Enseignement Privé Laïque
51, rue de Billancourt - F - 92100 Boulogne Billancourt

Fédération Nationale de l'Enseignement Commercial Privé Laïque
28, rue des Jardins
B.P. 125 - F - 59000 Lille

Comité de Coordination pour le Congrès de l'EPA
(European Parents Association)

89-91, boulevard Berthier - F - 75017 Paris

For information and documentation :

Centre National de documentation sur l'enseignement privé
20, rue Fabert - F - 75007 Paris

Trends

Private education is represented on a number of consultative or disciplinary bodies at national, education district, and *département* level.

Recent developments include the agreement signed in 1992 between the State and the representatives of the Catholic schools. Based on the right and the recognition of the contribution private education makes to the education system, this agreement is aimed at finding solutions to a number of problems which have been unresolved for some time.

The following are the main points covered:

- the standard grant: final settlement of the amount in dispute and definition of a new method of calculation and updating;
- gradual assumption of responsibility by the State for library staff working in private schools;
- training and recruitment of teachers;
- pension arrangements; and
- conditions of service of headteachers.

This agreement is applicable to all private schools under contract.

The 1992 draft budget provides for a 5.5% increase in support for private education, which would bring the total budget for private education to 29 billion francs and make the parity principle a reality.

Sources

- French EURYDICE Unit: answers to questions EU/91/003/00; GR/88/006/00; NL/89/004/00; PO/86/009/00.
- National information dossier (1st version).
- Les collectivités locales et le financement des établissements de l'enseignement privé - l'imposé, le permis, l'interdit./ Anne-Marie Le Bos-Le Pourhiet. Paris: SIREY, 1989.- p. 113-123. (Savoir, éducation, formation; 1).
- Lionel Jospin's speech to the French Senate: presentation of a draft budget for 1992 (school and university section), 3 December 1991. Paris: Ministère de l'Education Nationale, December 1991.- 8 p.
- Protocol to the Agreement between the State, represented by the Minister of Education, and the Catholic schools, represented by their Secretary General, 13 June 1992.

IRELAND

1. General / Legislative framework

In the Constitution of 1937, the State acknowledges that the family is the primary and natural educator of the child and that parents are free to choose, if they want, to educate their children at home, in private schools or in schools recognised or established by the State. The State's constitutional duty is to provide for free first-level (primary) education when the public good requires it and to supplement and to aid private and corporate initiatives.

The historical background to these constitutional provisions is that in the 19th century and earlier, British authorities encouraged the development of a primary school system based on voluntary local initiatives and under local control and management. The State did not undertake to provide schools but would aid their provision in response to local initiatives. These local initiatives were mostly taken by the Churches (Catholic and Protestant) and other religious denominations, with the result that the system became, in practice, a denominational one.

2. Types of schools

At primary level, teaching institutions are not legally defined. The vast majority of primary schools are the so-called National schools, State-aided parish schools established under diocesan patronage, and the State gives explicit recognition to their denominational character.

In recent years, a small number of multi-denominational schools have been established in response to local parental demand, and these receive State support on the same terms as denominational schools.

National schools are conducted by Boards of Management, responsible for the day-to-day government of their schools, subject to the regulations laid down by the Department of Education.

The strictly private sector, i.e. non-aided schools, is at primary level very little developed. It caters for less than 2% of the total number of pupils at this level.

At secondary level, there are four types of schools: private (Voluntary) Secondary Schools, public Vocational, Comprehensive and Community Schools. All (Voluntary) Secondary Schools are privately owned and managed institutions, the majority conducted by religious communities, the remainder by Boards of Governors or by individuals. They have to be recognised by the Department of Education and are subject to its regulations.

In 1991, Catholic secondary schools constituted 57% of all second level schools and catered for 60% of the national second level student population.

3. Conditions for setting up schools

There is no specific legislation governing the setting up of private primary schools or (Voluntary) Secondary Schools.

4. Financing / Subsidies from public funds / Fees

There is no public funding of private primary schools. They are funded largely by way of fees but other income may be forthcoming by way of donations and through the private means of the school's operator (e.g. if the school is run by a religious order, the order may subsidise its operation).

Until 1967, tuition fees were payable in Secondary Schools, but in 1967 a scheme of free education was introduced. The scheme sought to ensure equality of educational opportunity at second level for all young people, regardless of their family circumstances. At present, about 95% of the Secondary Schools participate in the scheme.

Secondary Schools, although privately managed, receive considerable financial assistance from the Department of Education - payment, almost in full, of teachers' salaries and allowances; 90% of the cost of approved building and equipment; capitation grants for each eligible pupil. Approximately 88% of (voluntary) secondary schools operate by means of a Capitation grant of £150 per pupil, the remainder being fee-paying schools.

5. Conditions regarding curricula, timetables and teaching methods

The Department of Education is responsible for setting the curriculum for the State-aided primary schools but no control is exercised so far as the curriculum followed in private primary schools is concerned.

In order to receive State recognition, Secondary Schools must operate in accordance with the Rules and Programme for Secondary Schools established by the Department of Education. In particular, regulations cover aspects like the suitability of school premises, the quality of the teaching staff, minimum number of pupils and the content of the school curriculum and courses of instruction. Syllabuses on the specified subjects must be approved by the Minister. The programme of instruction is prescribed by the Department of Education after consultation in the context of the second-level situation as a whole with the Secondary School associations.

6. Status of qualifications awarded

State examinations including Junior Certificate and Leaving Certificate.

7. Appointment / Status / Terms and conditions of service of teachers

Primary teachers must have a B.Ed. (Bachelor of Education) Degree. Secondary teachers must have a basic degree plus a Higher Diploma in Education including teacher training and class contact hours.

Private schools employ their own teachers. Appointment of teachers in Secondary Schools is subject to state intervention only in so far as the State determines the pupil-teacher ratio, i.e. the quota. General conditions for recognition of Secondary Schools stipulate that, "The staff of teachers must be sufficient in number, and must be qualified to give instruction in those subjects of the programme which they teach. The staff will not be considered sufficient if, in the opinion of the Minister, the number of pupils in any class is too large to permit efficient instruction".

Head teachers are appointed ex-quota and there is no State sanction of these appointments.

8. Inspection

Private primary schools are not subject to inspection by the State school inspectorate.

Secondary schools are subject to inspection by Inspectors from the Department of Education. The duties of inspectors can be defined as follows:

- Investigative function, i.e. to see how the various subjects (French, Mathematics, etc.) are taught.
- To advise re deficiencies - if the inspector is not happy with the manner in which a subject is taught he will advise the teacher accordingly.
- To have a developmental initiative in relation to the Curriculum.

Basically the inspectors operate in an advisory capacity only.

9. Statistics

1988/89

Primary education	State aided[1]	Private	% Private
Pupils	548,623	8,041	1.4
Schools	3,247	63	1.9
Teachers	19,178		

[1] The figures refer to Ordinary National Schools.

Second level (general) education	Secondary (private)	Vocational	Community	Comprehensive	% private
Pupils	210,382	69,347	30,182	8,419	66.0
Schools	496	247	47	16	61.5
Teachers	11,698	4,867	1,846	491	61.9

Source :

- Statistical report./ Department of Education, 1988/89.

10. Index of representative organisations

Representative National Organisations/Bodies for Voluntary Secondary Schools

J.M.B. Joint Managerial Body
Emmet House
Milltown
EIR - Dublin 14

C.M.C.S.S. Council of Management of Catholic Secondary Schools
Emmet House
Milltown
EIR - Dublin 14

I.S.A. Irish Schoolmasters Association
Miss Della Mew
Rathdown School
Glenageary
EIR - Co. Dublin

Trends

One unusual feature of Irish education is the dominance of the voluntary school at second level. Few other countries can boast that the majority of their secondary students are educated in private institutions. Yet nowadays these private institutions are, to a greater extent, publicly funded.

The Department of Education gives recognition and grants to the school, provided that it meets certain requirements and follows a certain programme of education, but it remains the prerogative of the owners to determine the nature and ethos of the school. Issues such as the denominational character of the school, "the hire and fire" of teachers, the size of the school, its admissions and expulsion policy, programmes for buildings, extensions or renovations, etc. are all matters for the owners and not the Department of Education

The vast majority of voluntary secondary schools are Catholic, established with the purpose of ensuring that Catholic children would have a Catholic education. This aim has not changed throughout the decades, and the Trustees of the school (the legal representatives of the owners) act as guarantors that the school will be run in accordance with the Catholic ideals and philosophy of the founders. Co-operation with the Department of Education in making secondary education available to large numbers of students does not entail any compromise of ideas which motivated the founders of the school.

Sources

- Irish EURYDICE Unit: answers to questions EU/91/003/00; EU/83/009/00.
- Rules for secondary schools. Dublin: Department of Education, 1990.

ITALY

1. General / Legislative framework

Article 33 of the Italian Constitution lays down two fundamental principles for educational policy :

- The State has the obligation to provide a comprehensive official school system open to all young people according to their abilities and ambitions and independent of their social and financial situation.
- Individuals and legal bodies corporate have the right to open schools and educational establishments as long as they do not impose any charge on the State.

These provisions were designed to promote the educational pluralism appropriate to a democratic society. The limits to, and procedures for the exercise of, these rights should have been given a more precise legal definition. However, laws passed before the 1946 Constitution have remained in force. These laws embody political principles which are different from those which guide the modern Italian State and its relationship to its citizens. The Constitutional Court and the State Council have repeatedly had to make rulings, and the Ministry of Public Education has been obliged to issue circulars, on the interpretation and application of this legislation.

The laws applicable to the setting up of private schools and educational establishments remain RD No. 577 of 5 February 1928 for primary schools, and Law No. 86 of 19 January 1942 for secondary schools. The basic judgements modifying or interpreting the above laws and Ministerial circulars in accordance with the spirit of the times (in an attempt to reorganise and modernise administrative procedures) have focused mainly on the issue of the constitutional legitimacy of the approvals to which the operation of private schools is subject and the nature of the control exercised over them by the state school administration.

2. Types of schools

Schools may be administered by private individuals or bodies corporate, including private associations, public bodies such as local or provincial governments, religious congregations, or non-profit-making cooperatives or associations.

Private schools which offer curricula corresponding to those provided in the public sector may call themselves by the same names as State schools (e.g. *licei classici, istituti tecnici)*. Schools organised along different lines and offering different courses (e.g. accelerated preparation for examinations or vocational specialisation) are called *"corsi"*.

At **primary level**, non-State schools may be completely private (*scuole privati*), or subsidised by the State (*scuole sussidiate*), or recognised as being equivalent to public schools (*scuole parificate*).

Non-State **secondary** schools may be completely private (*scuole private*), registered with the Ministry (*scuole funzionanti con presa d'atto*), legally recognised (*scuole legalmente riconosciute*), or recognised as equivalent to public schools (*scuole pareggiate*).

3. Conditions for setting up schools

The spirit of Italian law is that the government has no authority to approve or forbid the setting up of schools, as this would effectively limit a freedom guaranteed by the Constitution. The government's role is to ensure that, in exercising this freedom, individuals responsible for educational activities do not violate legal provisions protecting morality, health, or public order. Thus the government no longer "authorises" schools to operate, as in older legislation, but "takes note" of the opening of schools or *corsi*. The government does retain the power to order the closing of private schools for moral or educational reasons.

In practice, the establishment of non-State schools is subject to certain regulations.

At primary level

Completely private schools (*scuole private*) may be administered by public bodies or by individuals. They must obtain prior Ministerial approval which is subject to demonstrating their moral and legal capacities, holding a secondary-school qualification, and being able to demonstrate that the school's facilities are adequate and appropriate.

Subsidised schools (*scuole sussidiate*) may be established after approval from the Provincial Director of Education (*Provveditore agli studi*), in areas where the State has decided not to open public schools.

Recognised equivalent schools (*scuole parificate*) may be set up and managed only by corporations, associations (usually Catholic), or bodies corporate but not by private individuals. Equivalent status is granted by virtue of a special convention accorded by the Provincial Director of Education after approval is given by the Minister of Public Education. This convention may allow financial support, the amount of which is then set out in the convention itself.

At secondary level

Completely private schools (*scuole private*) may be administered by either public bodies or individuals. They do not require any approval from the education authorities and must comply only with public order, hygiene, and health regulations.

In the case of registered schools (*scuole funzionanti con presa d'atto*), the Ministry of Public Education (or the Provincial Director of Education for temporary or summer *corsi* offering preparation for exams) officially registers the setting up and operation of the private school, after due notification is given by an individual, and after verifying that the school complies with the basic requirements in respect of facilities, the qualifications and legal status of teaching staff and the number of students.

Legally recognised schools (*scuole legalmente riconosciute*) may be administered by public bodies or by individuals. Legal recognition takes the form of a Ministerial decree granted after one year of operation in accordance with, in particular, the requirements in relation to the qualifications of teaching staff and educational programmes.

In contrast, equivalent status for secondary schools (*scuole pareggiate*) may only be granted to schools directed by non-State or religious public bodies as defined in Article 29 of the Concordat with the Holy See. Equivalent status is accorded by Ministerial decree and cannot be granted to schools administered by individuals or by private associations.

4. Financing / Subsidies from public funds / Fees

The government only rarely provides aid to private schools, and then in the form of subsidies or grants to institutions which cater for educational or social needs which State education does not meet.

A typical subsidised primary school (*scuola sussidiata*) might be located in a disadvantaged area, have fewer than six pupils, or pupils who only reside in the area it serves for brief periods, such as travellers or the children of temporarily transferred workers.

In recognition of the special role of these schools, the State subsidises them in the form of bonuses to teachers, based on the number of pupils. These schools are free and open to all children, but are tending to disappear with the development of better transportation and as public schools begin to be able to provide for such pupils' needs.

Special subsidies are available to nursery schools managed by local authorities (communes, provinces, groups of communes), by public establishments or other bodies or institutions to cover accommodation and running costs.

All laws on financial assistance for school buildings provide for a certain percentage of the funds to be allocated to non-State schools; and private nursery schools are eligible to receive funds from the State nursery-school budget to help defray their operating expenses if they provide free instruction to pupils from low-income families or give them free meals (under Law No. 1073 of 24 July 1962).

Special laws apply to grants towards building and running costs of non-State nursery schools and the schools which train nursery-school teachers; and some middle schools do also receive a little aid in recognition of the fact that some of them also give free instruction to children from lower income families.

It is important to mention that pupils in "recognised" schools enjoy many of the same benefits as students in official schools, such as free textbooks and transportation at the primary level, and textbook vouchers and concessionary public transportation at the lower and upper secondary levels. These benefits are paid for by the local authorities and are considered as part of the "right to education."

Private schools may charge fees, which are generally quite high.

In general, the government is not involved in setting school fees, but when a school requests an agreement certifying its recognition or equivalence to a State school, it must undertake to accept primary-level pupils free of charge and provide free places to secondary-level students receiving scholarships.

5. Conditions regarding curricula, timetables and teaching methods

Strictly private schools have complete freedom concerning their curricula and internal regulations. Legally recognised or equivalent schools must comply with the same legal requirements as to curricula, teaching materials, timetables and general organisation as State schools.

6. Status of qualifications awarded

Schools which comply with the State schools regulations may request recognition of their cycles of education and the qualifications they award.

At **primary level**, diplomas awarded by recognised schools (*scuole parificate*) have legal status, as do **secondary-level** qualifications granted by legally recognised schools (*scuole legalmente riconosciute*) and equivalent schools (*scuole pareggiate*). These types of secondary school may administer examinations for the lower or middle secondary diploma (*licenza media*) or the final secondary diploma (*maturità*).

Qualifications awarded by strictly private schools and registered schools have no legal status. Pupils wishing to obtain a legally valid diploma must take special examinations administered by a public or recognised establishment.

7. Appointment / Status / Terms and conditions of service of teachers

At primary level

Private primary schools must comply with the same regulations pertaining to teachers' qualifications as public schools. Each school's head teacher is responsible for ensuring compliance.

The individual or body legally responsible for a school - whether an individual or a body corporate - is responsible for appointing the head teacher, and he recruits the teaching staff.

Recognised schools, which must be administered by bodies corporate, must recruit their head teacher and teachers by open competitive examination, in accordance with the current rules applicable.

Teachers in equivalent schools (*scuole parificate*) must be Italian nationals, hold a teaching qualification, be of good character and be paid in the same way as public school teachers.

At secondary level

Teachers in legally recognised schools must have the required teaching qualifications. If not enough certified teachers can be recruited, the school may call on university-level teachers, or employ public-school teachers for up to 24 hours per week.

In accordance with the aforementioned regulations, teachers at equivalent schools (*scuole pareggiate*) must be recruited by open competitive examination. Teachers may, however, be engaged directly if they hold a teaching certificate and have received a mark of at least 7 out of 10 in a recruitment examination for the State schools.

8. Inspection

The Ministry of Public Education's directorate-general for non-State secondary education and the Provincial Directors of Education (*Provveditore agli studi*) are responsible for inspecting non-State schools at the national and regional levels respectively. The Ministry is mainly responsible for legally recognised schools.

The Ministry oversees these schools through central and regional inspectors, in relation to the teaching aspects, and through rectorates which check that the regulations are complied with in relation to enrolment and promotion and examination procedures. The rector may appoint government commissioners for the inspection period. The Ministry may suspend or revoke legal recognition or close schools if they find administrative irregularities, sub-standard teaching, or inadequate teaching materials.

For private schools which do not grant recognised diplomas, the government only check (*presa d'atto*) that an establishment's facilities and services comply with health and public-order regulations.

9. Statistics

1989/90

Pupils	Public education	Non-public education	% of non-public education
Pre-school	812,460	752,579	48.1
Primary	2,885,978	252,570	8
Lower secondary	2,287,772	107,361	4.5
Upper secondary	2,593,568	259,046	9.1

Schools	Public education	Non-public education	% of non-public education
Pre-school	13,800	14,169	50.5
Primary	22,940	2,276	9
Lower secondary	9,088	933	9.3
Upper secondary	5,782	2,080	26.5

Teachers 1990/91	Public education	Non-public education[1]	% of non-public education
Pre-school	75,970		
Primary	261,153		
Lower secondary	264,019		
Upper secondary	273,592		

[1] No official figures available.

Sources :

- Italian EURYDICE Unit.
- Annuario Statistico Italiano (Annual Digest of Statistics) - 1990.
- Dipendenti pubblici al 1 gennaio 1991. (Public employment, 1 January 1991)./ Ministerio del Tesoro.

10. Index of representative organisations

FIDAE Federazione Istituti di Attività Educative
Via della Pigna 13
I - 00186 Rome

ANINSEI Associazione Nazionale Istituti non Statali di Educazione e Istruzione
Via Po 10
I - 00198 Rome

FIINSEI Federazione Italiana Istituti non Statali di Educazione e Istruzione
Via Nazionale 172
I - 00184 Rome

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Trends

In Italy, although private schools receive some public-sector funds, in particular for their building programmes, official policy is that the government does not finance non-State schools or allow their pupils to take official examinations.

Government financing for private schools has long been a subject of public debate, but no legislative proposals are under discussion at the present time..

Sources

- Italian EURYDICE Unit: answers to questions EU/91/003/00; GR/88/006/00; NL/89/002/00.
- Scuole non-statale, materna ed elementare; scuole secondarie; Dizionario di legislazione scolastica; TEMI, marzo 1988.

LUXEMBOURG

1. General / Legislative framework

The vast majority of primary and secondary schools in Luxembourg are public.

There are however private schools established as bodies corporate; these are almost all administered by the Catholic Church.

The law of 10 August 1912 on primary education and the law of 31 May 1982 concerning the relationship between the State and private post-primary education set out the conditions which private schools must fulfil in order to obtain government approval.

2. Types of schools

At primary level

There are currently four denominational private schools and one non-denominational private school in Luxembourg.

At post-primary level

The law of 31 May 1982 makes a distinction between **general** private post-primary education and post-primary education **under contract.**

- **General** private post-primary education is defined as education which is not provided by the State, local government or vocational organisations. Programmes and timetables may differ from those of State schools. Approval to open a private post-primary school is granted by the Ministry of Education.
- Private post-primary education **under contract** is defined as private education with curricula, timetables, and teaching methods corresponding to those of State schools. Private schools under contract must obtain approval from the Ministry of Education and they receive State subsidies toward their running costs.

Luxembourg has six private schools under contract, including five denominational and one non-denominational school; there is also one non-denominational school which does not meet the conditions regarding the equivalence of its curricula.

All the schools under contract provide technical secondary education. Two of these schools also offer general secondary education and four provide primary education. The remaining establishment offers primary and lower secondary education.

3. Conditions for setting up schools

At primary level

The law of 10 August 1912, as subsequently amended, on the structure of primary education provides that all private primary schools must obtain government approval, which is granted by a decision of the local council, the education inspector, and the Inspection Commission. This approval applies only to the particular establishment in question and may be withdrawn if the school ceases to meet one or more of the legal conditions attached to its approval. These conditions mainly concern the curricula.

At post-primary level

Chapter I of the law of 1982 states that approval to set up a school will be granted after an examination of :

- the moral character of the individual or body responsible for managing the school;
- the moral character and qualifications of the head teacher and teaching staff;
- the classroom accommodation and the cleanliness of the premises;
- the aims, curricula and teaching methods;
- the requirements for admission and promotion of pupils;
- the qualifications awarded to pupils;
- the internal rules for discipline and good order;
- the financing of the school;
- the standard educational contract proposed between the school and its pupils.

4. Financing / Subsidies from public funds / Fees

At primary level

Subsidies are not awarded on the basis of a contract binding the State, but by a decision of the government meeting in Council. Subsidies are paid annually upon presentation of a declaration of the number of pupils enrolled at the beginning of the school year.

Subsidies are granted to cover a portion of a school's running costs. Aid is calculated on a per-capita basis, in contrast to that for private secondary schools, and thus does not take into account the real cost per pupil and is not weighted according to the level of education.

Private schools charge fees, the amount of which is determined by the individual school.

At post-primary level

The State provides subsidies to meet current running costs not met by the fees, up to the total of the operating losses.

The law of 1982 excludes expenditure on durable goods, and on the construction or renovation of school buildings, from eligibility for subsidies.

In order to receive State subsidies, schools must:

- have non-profit-making status;
- exist for the sole purpose of providing education and training;
- be the employers of the teachers and administrative and technical staff;
- own or have possession of the buildings and equipment used for teaching purposes;
- provide education corresponding to the types of education provided by the State;
- follow the curricula in force in State schools;
- respect State-school timetables;
- apply the same criteria for admission and promotion as State schools.

Subsidies are based on the average cost of educating a public-school pupil, the degree of qualification of teachers, and the number of pupils in the private school. This number is not an actual count of pupils but instead a figure adjusted to give more weight to upper-secondary education.

Private schools charge fees set by the individual school with the approval of the Ministry of Education. These are minimal compared to the State subsidies. The fees are kept low to avoid discrimination against children from disadvantaged backgrounds.

5. Conditions regarding curricula, timetables and teaching methods

At primary level

Private schools should, in principle, teach the same subjects as public schools. Primary schools' schemes of work must cover all subjects which are, or may be declared, compulsory under the law of 10 August 1912. The government may, however, grant a dispensation from teaching one or more of these subjects. Any change to the scheme of work must be communicated to the Inspector and the local authority.

At post-primary level

In general, the criteria for State schools provide a frame of reference for private schools under contract.

6. Status of qualifications awarded

To the extent that private schools provide education comparable to that in State schools, the qualifications awarded are equivalent. Private-school pupils must take their final secondary exams in the public-school examination sessions.

7. Appointment / Status / Terms and Conditions of service of teachers

Private primary-school teachers must be Luxembourg nationals and hold the same qualifications as public primary school teachers.

The State is not directly involved in the appointment of head teachers. However, it does take into account the moral character of the teaching and senior staff when deciding whether to grant approval to the setting up of a private school (see section 3 above).

Private-school teachers may transfer to public schools if they have the same qualifications as public-school (civil servant) teachers. Some State teachers teach part-time in private establishments in addition to their public-school work.

8. Inspection

Private schools are subject to monitoring and inspection by the Ministry of Education. A committee of financial auditors also ensures that the norms which form the basis for the calculation of the State subsidy are complied with.

9. Statistics

1990/91

Pupils	Public	Foreign attendance[1]	Private	% Private
Primary/Supplementary	26,612		633	2.3
General secondary	7,589	745	509	5.7
Technical secondary	11,341	496	1,599	11.9
Total post-primary	18,930	1,241	2,108	9.5

Schools	Public	Private	% Private
Primary/Supplementary	± 150	5	3.3
General secondary and technical secondary	22	6	27.2

[1] Pupils residing in Luxembourg who attend post-primary schools in Belgium, France or Germany.

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Teachers	Public	Private	% Private
Primary/Supplementary	1,762	30	1.7
General secondary and technical secondary	1,977	168.9[1] full-time equivalents of 22 hours/week	

[1] The total number of hours of instruction is thus 3,716. The actual number of teachers has little significance as there are many part-time posts in private schools.

Sources :

- Luxembourg EURYDICE Unit.
- Annuaire statistique: annee scolaire 1990-91. Luxembourg: Ministère de l'Education Nationale, 1991.- (Courrier de l'Education Nationale).
- Le système éducatif luxembourgeois face au changement: demain l'école. Luxembourg: Ministère de l'Education Nationale, 1992.- 69 p.

10. Index of representative organisations

In Luxembourg there is no association representing all private schools. Private-school teachers', parents', or pupils' associations may be contacted at the addresses of the various schools.

Primary

Ecole Waldorf	6 avenue Joseph Sax, L - 2515 Luxembourg
Ecole Privée Notre-Dame	4 rue Marguerite de Busbach, L - 1269 Luxembourg
Ecole Privée Fieldgen	21 rue d'Anvers, L - 1130 Luxembourg
Ecole Privée Ste Anne	108 Grand-Rue, L - 9051 Ettelbruck
Ecole Privée Marie-Consolatrice	101 rue de Luxembourg, L - 4221 Esch/Alzette

Post-primary

Lycée technique Privé Emile Metz	50 rue de Beggen, L - 1220 Dommeldange
Ecole Privée Notre-Dame	4 rue Marguerite de Busbach, L - 1269 Luxembourg
Ecole Privée Fieldgen	21 rue d'Anvers, L - 1130 Luxembourg
Ecole Privée Ste Anne	108 Grand-Rue, L - 9051 Ettelbruck
Ecole Privée Marie-Consolatrice	101 rue de Luxembourg, L - 4221 Esch/Alzette
Ecole Privée Ste Elisabeth	7 rue de Binsfeld, L - 9912 Troisvierges

Sources

- Luxembourg EURYDICE Unit: answer to question EU/91/003/00.

THE NETHERLANDS

1. General / Legislative framework

Article 23 of the Dutch Constitution guarantees **freedom of education,** which embraces the freedom to set up schools, freedom of philosophical approach and freedom of organisation.

The freedom to set up schools, which has been guaranteed by the Constitution since 1848, means that any individual or body has the right to found a school without the prior approval of the authorities.

Philosophical freedom means that the competent authority (the body responsible for school administration) may tailor instruction to reflect its religious, philosophical or educational convictions.

The exercise of this right has led to the emergence of a great variety of educational establishments which fall however into two main categories - public and private schools.

This diversity of schools means that there are also a large number of bodies responsible.

Public schools come under the control of the local authority, in which case the competent authority is the local council or the committee of burgomasters and aldermen.

The authorities are responsible for ensuring that there are enough public schools to provide good quality education for all. Public education is secular.

Private schools are established upon individual initiative and administered by a school management council which often takes the form of an association or foundation. Private education may be denominational or secular.

Freedom of education is mentioned in all legislation on education and applies to both public and private schools.

2. Types of schools

Most private schools come under bodies or foundations with a particular religious or philosophical orientation. Denominational schools include both Catholic and Protestant establishments, and some Hindu and Islamic schools have also been set up recently.

Many private schools are also secular ("neutral"), based on a variety of philosophical principles or of teaching methods.

3. Conditions for setting up schools

The standards required for setting up schools are set out in government legislation on education. These specify minimum enrolments and, at primary level, vary according to the character of the area the school serves and the size of the local community.

Private primary schools may have lower enrolments than corresponding public schools if local authorities deem the creation of a private school necessary to meet a particular educational need.

A private secondary school may be included in the "School Plan" for setting up new establishments, if it can be demonstrated that the number of pupils likely to be enrolled exceeds the legal minimum for a school of this type. An application to create a new school must include an estimate of probable enrolment.

4. Financing / Subsidies from public funds / Fees

Since 1917, public authorities have been providing 100% funding for both public and private schools. This equal support is a fundamental principle of Dutch society. Although at the outset only primary schools were eligible for equal funding, financial equality has gradually been extended to all levels of education up to and including university education (as of 1970).

Financial equality is carefully regulated in relation to all types of education. Application of the "infringement" rule means that if, during a given year, the running costs met by local government for public education exceed State subsidies to private schools, the local authority must pay the difference to the private schools.

Subsidies to private schools are based on the cost of facilities, equipment, staff and running expenses of public schools at the same level. This means, in particular, that the public authorities pay the salaries of teachers and technical staff to the competent authority for each school.

Private schools often receive contributions from parents or have resources of their own. These funds may not be used to engage additional staff or to pay the staff a supplement to their regular salaries.

In order for a school to receive State financing, the competent authority must comply with certain conditions set out in specific government laws and regulations.

In general, schools must observe rules for admission of pupils, must have non-profit-making status, and their school management council must belong to the Appeals Commission.

Quality norms in relation to teachers' qualifications, subjects taught obligatorily in each kind of school and final examinations are also applicable.

5. Conditions regarding curricula, timetables and teaching methods

Although education law in the Netherlands is extensive, public and private schools have a great deal of autonomy.

The Ministry of Education and Science does not impose any particular teaching materials and does not produce any materials of its own. Educational materials are designed and marketed by commercial and non-commercial publishers. The government sets objectives for each type of education, but schools nonetheless have complete freedom to choose their teaching methods and the means of attaining these objectives.

6. Status of qualifications awarded

There is no difference in status between diplomas or other qualifications awarded by public schools and those given by private schools approved by the Ministry.

7. Appointment / Status / Terms and conditions of service of teachers

The Constitution explicitly states that the freedom to set up schools includes the freedom to appoint teachers and choose teaching methods.

The competent authority of a school is thus free to recruit teachers, on the sole condition that they be able to produce a certificate of good conduct and a teaching certificate.

Private schools have the right to appoint, exclusively or as a matter of preference, teachers who subscribe to the school's particular religious, philosophical, or educational views.

Teachers appointed to public schools are civil servants, while private-school teachers have a contract of employment under the civil law.

The legal status of teachers is set out in the *Rechtspositiebesluit Onderwijspersoneel* (RPBO), the "Regulation on the legal status of teachers". The RPBO applies directly to public-school teachers and is a condition of receipt of subsidy for private schools. In other words, if a private school wishes to receive funding, its administration must incorporate the RPBO's provisions into the conventions on working conditions for its staff. The State then pays their salaries, which are identical to those of public-school teachers. For purposes of the legislation on retirement pensions, all teachers are treated as civil servants.

8. Inspection

The Ministry of Education is responsible for educational inspection, and the Inspectorate functions under the Ministry's direction. Both private and public schools are subject to inspection.

9. Statistics

1989/90

Pupils	Total	% Public	% Protestant	% Catholic	% Neutral
Primary	1,432,777	31.2	29.2	33.9	5.7
Special (secondary)	106,712	27.3	20.9	33.1	18.7
General secondary	697,354	26.6	27.4	37.0	9.0
Junior secondary vocational	252,218	8.7	23.7	31.5	36.2
Senior secondary vocational	294,432	11.9	22.2	28.2	37.7
Higher vocational	180,219	17.7	10.4	13.0	59.0

Schools	Total	% Public	% Protestant	% Catholic	% Neutral
Primary	8,442	35.0	30.1	29.6	5.3
Special (Secondary)	1,001	27.0	21.4	31.1	20.5
General secondary	1,284	25.1	28.8	34.9	11.2

Teachers	Total	% Public	% Protestant	% Catholic	% Neutral
Primary	82,516	34.0	28.0	33.0	5.0
Special (Secondary)	14,990	26.6	19.6	32.0	21.8
General secondary	40,783	26.9	26.4	37.7	9.0

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Subsidies for private education as a percentage of current public expenditure on education				
1980	66.0			
1985	69.0			
1987	69.6			
Distribution of subsidies for private education by level of instruction				
	Primary	Secondary	University	Not distributed
1987	20.0	20.0	19.6	40.4

Sources :

- Zakboek onderwijsstatistieken 1991: onderwijs cijfergewijs. 's-Gravenhage: Centraal Bureau voor de Statistiek, 1991.- 125 p.
- Education expenditure - cost and financing: an analysis of trends: 1970-1988. Paris: OECD, October 1991.- 221 p.

10. Index of representative organisations

Educational interests are defended by national co-ordinating bodies[1].

The following organisations represent private education :

- NKSR: *Nederlandse Katholieke Schoolraad* (Dutch Council of Catholic Schools)
- NPCS: *Nederlandse Protestante-Christelijke Schoolraad* (Dutch Council of Protestant Schools)
- NABS: *Nederlandse Algemeen-Bijzondere Schoolraad* (Dutch Council of Neutral Schools)

Trends

Private schools in the Netherlands have considerable autonomy within the general legal framework. The Constitution explicitly provides for freedom of private education in terms of teaching methods and the recruitment of teachers. Private schools also have complete freedom in :

- determining the membership of the school management council;
- relations with parents and the various education support organisations;
- defining the school's educational structures;
- provision of religious instruction and subjects outside the compulsory curriculum or school hours.

[1] These national coordinating bodies are cooperative associations representing a variety of organisations, including teachers' unions, parents' organisations, and school management councils, among others.

Financial and legal support for private education has contributed greatly to the development of education based on a variety of philosophical and religious convictions and responding to a historical demand which is very much alive in Dutch society.

The division of enrolment between public and private schools has remained practically stable since the beginning of the century, with about 70% of primary and secondary school pupils attending private establishments. However, the public sector has grown slightly since 1970.

Sources

- Dutch EURYDICE Unit: answer to question EU/91/003/00.
- Freedom of Education in the Netherlands. Zoetermeer: Ministry of Education and Science, September 1988.- 3 p.- (Bulletin; 22F).

PORTUGAL

1. General / Legislative framework

Educational freedom is guaranteed by the Portuguese Constitution and laws. This finds expression in the right to set up and operate private and cooperative educational establishments and freedom of access to all educational establishments which contribute to the development of the national education system without economic, social, or regional discrimination.

Basic legislation on private and cooperative education includes :

- Law No. 9/79 on private and cooperative education;
- Law No. 65/79 on freedom of education; and
- Law No. 553/80 on the legal status of private and cooperative education.

These laws distinguish between :

- public schools administered entirely by the State, the autonomous regions, local communities and public bodies; and
- private and cooperative schools set up and managed by private individuals acting individually or collectively.

These schools provide collective instruction to not less than five pupils or offer regular educational activities.

Private and cooperative schools which provide collective instruction in keeping with the objectives of the national education system are eligible for the same benefits as public service bodies.

The State supports and coordinates education in private and cooperative schools by :

- granting approval for founding private and cooperative schools and ensuring that they function smoothly;
- providing the teaching and technical assistance necessary for these schools to operate properly;
- ensuring that the pedagogical and academic level of their curricula and teaching methods meets the standards of general educational policy;
- awarding subsidies and providing contracts for private and cooperative establishments, in order gradually to guarantee the same quality of instruction as that provided in public schools at the compulsory and free levels and reduce disparities at the other levels.

2. Types of schools

Private and cooperative schools may sign one of three types of contract with the State : a *contrato de associação* (association contract), a *contrato simple* (simple contract) or a *contrato de patrocinio* (patronage contract).

The State makes a *contrato de associação* with private and cooperative schools which are located in areas with an insufficient number of public schools, share the educational objectives of the public system, and provide free education on the same conditions as public schools.

In addition to financial and tax advantages, the State gives *contrato de associação* schools grants equivalent to the cost per pupil in public schools offering the same level of instruction.

Criteria for financial assistance are determined by the Ministry of Education on an annual basis.

The State enters into a *contrato simple* with private and cooperative schools not covered by *contrato de associação*, in order to enable them to offer special conditions, i.e. to reduce their monthly fees.

These contracts must specify the per-capita subsidy and the amount by which the fees are reduced by the school.

The State may also enter into a *contrato de patrocinio* with private school proprietors in the interest of promoting and supporting education in areas not widely covered by the public sector, such as special curricula or experimental teaching techniques.

Under a *contrato de patrocinio*, the State is required to assume at least 50% of the school's running costs, grant legal recognition to the diplomas and certificates the school awards, establish the equivalence between its courses and those of public schools, set out rules for pupil transfer between these courses and the others and monitor the educational activities of the schools.

3. Conditions for setting up schools

The State approves the setting up of private and cooperative schools provided that they comply with the following basic conditions :

- the applicant must possess university qualifications of a level to allow him or her to teach the most advanced courses taught in the school, or, if the applicant is a group, provide qualified staff;
- the school must have the necessary facilities and equipment to meet its educational objectives; and
- the school must undertake to recruit teaching staff possessing the qualifications required by law.

Each school must select a name which is not likely to be confused with that of another public or private school.

Approval may be provisional or definitive.

4. Financing / Subsidies from public funds / Fees

Apart from the subsidies provided under one of the various types of contract (see item 2 above), the State may grant private schools which support the objectives of the public school system special subsidies to cover setting-up expenses, fund educational experiments, extend facilities, purchase equipment or support extra-curricular activities.

Under the provisions of Law 344/88 of 28 September 1988 and Decree 156/ME/88 of 15 September 1988, private and cooperative schools are eligible for credit facilities at a reduced rate of interest for the construction, purchase or expansion of premises.

Pupils in private schools without an association contract with the State may be required to pay enrolment and attendance fees.

The State sets the maximum monthly fees which pupils may be required to pay.

Pupils in private and cooperative schools, whether or not their establishment is under contract, are eligible without discrimination for the same social benefits as pupils in official schools. Private and cooperative schools thus benefit from the activities of the Institute for Socio-Educational Action.

5. Conditions regarding curricula, timetables and teaching methods

Any private school may have its own educational scheme provided that it offers education at each level generally equivalent to that available at the corresponding level in a State school.

Within the framework of their educational scheme, private schools may operate under either **autonomous or parallel educational status**, which is granted either for all levels in a given school or only for one or certain levels.

Schools with **autonomous** status are not bound by public-sector educational requirements in respect of :

- methodology or the choice of teaching materials;
- curricula or course content;
- assessment of learning, including administration of examinations; or
- enrolment or granting of certificates and diplomas.

Schools with **parallel** status are independent of public education only in the following areas :

- methodology and the choice of teaching materials; and
- assessment of learning, including procedures for administering examinations.

6. Status of qualifications awarded

Private schools whose levels of education have **autonomous** status may adopt their own methods of evaluation, which will then have official status once they have been submitted to the Directorate-General for Private and Cooperative Education of the Ministry of Education.

Private schools whose levels of education have **parallel** status are also free from the public school requirements on assessment of learning, including those on the administration of examinations.

Pupils in private primary and secondary schools whose education levels do not have **parallel or autonomous** status must be assessed through final examinations regulated by Ministerial decree.

Private schools with **autonomous** status may grant their own certificates of enrolment, attendance and ability, as well as school-leaving certificates.

The authorities award diplomas and certificates to pupils from schools without **autonomous** status, while schools with their own courses and curricula award qualifications themselves.

7. Appointment / Status / Terms and conditions of service of teachers

Private and cooperative schools must under current legislation have an administrative authority (either an individual or a group) and a board of studies (an individual or a committee). Each school is then free to determine its administrative structure according to its standing orders.

The State has no role in relation to the appointment of the board of studies or the teachers, but imposes certain requirements in relation to academic qualifications and teaching experience, in particular for the board of studies.

Private school teachers must provide experience of good physical and mental health, professional skills and ability to teach particular courses or particular levels. They must be at least 18 years old and under legal retirement age.

In general, private-school teachers are considered to perform a function in the public interest and have certain rights and responsibilities as teachers.

Private-school teachers must hold the same qualifications as public-school teachers and collective bargaining agreements must try to harmonise their career structure with that in the public sector.

Teachers working in public schools may teach in private and cooperative schools, and vice versa.

Private schools may employ foreign teachers on the same conditions as Portuguese nationals.

8. Inspection

Schools under contract with the State are subject to compulsory inspection of their teaching and administration.

Other schools may be subject to the same type of inspection, if it is deemed appropriate, if the Directorate-General for Elementary and Secondary Education so requests from the General Inspectorate of Education.

9. Statistics

1991/92

Pupils	Public	Private and cooperative	% Private and cooperative
Pre-school[1]	65,071	116,379	64.1
Basic education (total)	1,385,278	100,422	6.8
- 1st cycle	607,061	27,980	4.4
- 2nd cycle	327,067	27,187	7.7
- 3rd cycle	451,150	45,255	9.1
Secondary education	361,609	34,061	8.6

Schools	Public	Private and cooperative	% Private and cooperative
Pre-school	2,930	2,590	46.9
Basic education (total)	12,195	1,568	11.4
- 1st cycle	9,822	1,051	9.7
- 2nd cycle	1,525	290	16.0
- 3rd cycle	848	227	21.1
Secondary education	557	362	39.4

Teachers	Public	Private and cooperative	% Private and cooperative
Pre-school	4,201	3,582	47.8
Basic education			
- 1st cycle	37,885	1,253	3.2
- 2nd cycle	26,522	2,409	8.3
3rd cycle and secondary	65,907	7,027	9.6

[1] 1989/90.

Source :

- Ministério da Educação: Gabinete de Estudos e Planeamento, 1993.

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10. Index of representative organisations

The only organisation of private schools (those offering primary and secondary education) active at national level is :

Associação de Representantes de Estabelecimentos de Ensino Particular e Cooperativo (AEEP)
(Association of Representatives of Private and Cooperative Educational Establishments)
Av. Elias Garcia, 76, 5° F
P - 1000 Lisbon

Sources

- Portuguese EURYDICE Unit: answers to questions EU/91/003/00, GR/88/006/00, NL/89/002/00.
- Estatuto do ensino particular e cooperativo. Laws Nos. 9/79; 65/79; 553/80.
- National Dossier (1st version).

UNITED KINGDOM

England and Wales

Schooling in England and Wales is provided in schools which are wholly funded (referred to as state schools), partly funded (referred to as subsidised schools) or not funded by the State, referred to in this report as independent schools.

In this text, the term state schools is used for those schools which are totally funded by central or local government and which therefore fall outside the scope of this report. .

1. General / Legislative framework

The Education Act 1944 defines independent schools as "any school at which full-time education is provided for five or more pupils of compulsory school age (whether or not such education is also provided for pupils over or under that age), not being a school maintained by a local education authority...".

Primary and secondary schools, set up by religious and other voluntary bodies, existed before the introduction in 1870 of compulsory, free education for all children of primary school age in England and Wales. The need for extra school places arising from this legislation and the 1944 legislation, which introduced compulsory secondary education for all, was met in part by the admission of pupils to these schools in return for public funding. Such schools occupy a special place in the state-financed sector, which we shall here refer to as the subsidised sector. There are subsidised schools and colleges at all levels of education.

The terms independent, private and non-maintained are synonymous, in that they indicate that such schools are not maintained even partly by either local or central government.

2. Types of schools

There are three categories of subsidised schools - voluntary-aided, voluntary-controlled and Special Agreement - the nature of whose contracts with the State varies.

There are two categories of independent schools in England and Wales.

- The largest group comprises independent schools, which receive no funding from the State and are financed through fees and charitable donations. Most independent schools are still single-sex schools, although many are now becoming co-educational, especially at sixth form level (age 16-18+). The schools are known by a variety of names: independent schools, private schools, non-maintained schools, public schools, preparatory schools. "Public School" is the term preferred by the oldest and best

known independent schools which cater for pupils over the age of 13-14, and whose headmaster has been admitted to the Headmasters' Conference (see below).

Preparatory schools are independent schools which prepare pupils aged 7-8 to 12-13 to take the Common Entrance examination for admission to the Public Schools. There are also pre-preparatory schools or departments which admit pupils below the age of 7-8 years.

- The Education Reform Act 1988 made provision for the establishment of twenty City Technology Colleges (CTCs) in England and Wales. CTCs admit pupils aged 11-18 and place special emphasis on science and technology. A separate variant of the scheme allows for colleges which specialise in the technology of the arts and which are accordingly known as City Colleges for Technology of the Arts (CCTAs). Independent of their local education authorities, CTCs and CCTAs are managed by trusts comprising sponsors or promoters who are expected to make a substantial contribution towards the cost of buildings and equipment. The Department for Education pays the staff salaries and the costs of equipment, materials and maintenance, subject to the school's fulfilling a mutually agreed contract. Unlike other independent schools, CTCs and CCTAs may not charge tuition fees. The first CTC opened in September 1988 and by September 1992 there were 14 CTCs and one CCTA in operation.

3. Conditions for setting up schools

The legal provisions governing the creation and operation of all schools (including independent and subsidised schools) are contained in the Education Act 1944, as amended, and the Education Act 1988.

Independent schools are required to be registered with the Department for Education, and to make annual returns as laid down in the Education (Particulars of Independent Schools) Regulations 1982.

4. Financing / Subsidies from public funds / Fees

Subsidised schools receive from the State a refund of the current expenditure incurred, e.g. teachers' salaries, maintenance.

Major building works such as school extensions are funded by the State up to 85 per cent of the total cost.

Subsidised schools may not charge fees.

Independent schools, except for CTCs and CCTAs, are financed by means of fees paid by parents or by donations and grants received from benefactors. Under Section 17 of the Education Act 1980, a number of places are made available at independent schools for pupils who, it is considered, will benefit from education at an independent school, but whose parents cannot afford the fees. For these pupils, part or all of the fees are paid directly to the school by the government under the Assisted Places Scheme.

5. Conditions regarding curricula, timetables and teaching methods

Subsidised schools, just as state schools, are subject to the legislation covering the national curriculum, introduced by the Education Reform Act 1988 (as amended), and the minimum length of the school day and school year. Like state schools, the governing body and staff of subsidised schools exercise discretion over the timetable and teaching methods and materials. Both types of school are subject to the current regulations governing school inspections. Subsidised schools, because of their historical position, retain certain freedoms with respect to the content of religious education lessons and the daily act of collective worship.

The curriculum of independent schools is the responsibility of the governors of the schools and is not subject to the requirements of the national curriculum introduced by the Education Reform Act 1988. However, schools must satisfy the Secretary of State that efficient and suitable instruction is being provided with due regard to the ages of pupils.

6. Status of qualifications awarded

Public examinations (General Certificate of Secondary Education for pupils aged 16+ and General Certificate of Education Advanced level for students aged 18+) are open to pupils from both independent and maintained schools and therefore pupils' qualifications are comparable for further and higher education and for employment purposes.

7. Appointment / Status / Terms and conditions of service of teachers

Conditions of employment for teachers in state and subsidised schools are laid down principally in the Teachers' Pay and Conditions Act 1987. The Local Management of Schools Regulations confer responsibility for the recruitment, management and performance appraisal of teachers on the governing body of individual schools.

Conditions of employment for teachers are drawn up by the governors of an independent school. These may, but do not necessarily, reflect the provisions in the Teachers' Pay and Conditions Act 1987. Salary scales are usually similar to those of teachers in the maintained sector, but they may be either lower or higher as the governors determine. It is normally assumed that teachers will take an active part in the extra-curricular life of the school and, whilst this commitment is normally not formalised in the case of teachers in the maintained sector, it may well be stated in the terms of contract of teachers in independent schools, particularly in the case of boarding schools.

8. Inspection

All schools are subject to inspection in accordance with s. 9 of the Education (Schools) Act 1992.

In the case of subsidised schools, the governing body and the LEA must take steps to remedy aspects of provision which are deemed to be unsatisfactory.

In the case of independent schools, failure to remedy aspects of education found to be unsatisfactory may result in the school's being deleted from the register of independent schools. Any person who "conducts an independent school ... which is not a registered school ... shall be liable on summary conviction to a fine".

9. Statistics

1990

Pupils[1]		As % of all pupils
Independent schools	558,000	
City Technology Colleges (CTCs)	700	
Total (Independent schools + CTCs)	558,700	7.4
Subsidised schools	1,586,310	22.0

Schools[1]		As % of all teachers
Independent schools	2,280	
City Technology Colleges (CTCs)	3	
Total (Independent schools + CTCs)	2,283	8.3
Subsidised schools	7,458	29.0

Teachers		As % of all teachers
Day schools	24,400	
Schools with boarders	25,800	
Total (Day schools and schools with boarders)	50,200	13.8
Subsidised schools	83,521	20.0

[1] Day schools and schools with boarders.

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In 1990, there were 558,700 pupils in independent schools, including City Technology Colleges. This represents an increase of 7,700 or 1.4 per cent over 1989. Compared with the low point in 1984, the number of pupils has increased by 43,600 or 8.5 per cent. In 1990, the number of pupils in independent schools represented 7.4 per cent of pupils in all schools, as compared with 7.3 per cent in 1989 and 5.8 per cent in 1979.

Since 1984, the number of pupils attending independent schools as a proportion of pupils in all schools has increased each year for all age groups. However, in 1990, the proportion of pupils outside the statutory school age (that is, pupils aged under 5 and over 16 years) decreased slightly and between January 1991 and January 1992 the number of pupils of statutory school age in schools belonging to the Independent Schools Information Service (ISIS) dropped by 1000, or 0.2%.

The number of independent schools in 1990 increased to 2,280 and the number of City Technology Colleges to 3; respectively 11 and 2 more than in 1989. These together represented just over 8 per cent of all schools in 1990.

There were 50,200 full-time equivalent teachers in independent schools in 1990, an increase of 1,500 or 3.1 per cent over 1989.

Sources :

- Independent Schools in England - January 1990./ The Department of Education and Science. London: DES, 1991. (Statistical Bulletin; 6/91). - ISSN 0142-5013.
- Independent Schools Information Service (see point 10).

10. Index of representative organisations

The following organisations represent independent schools in the United Kingdom. There may be some overlap, whereby the authorities of a school are members of more than one organisation.

General information

Independent Schools Information Service (ISIS)
56 Buckingham Gate
UK - London SW1E 6AG

Independent Schools Joint Council
Grosvenor Garden House
35-37 Grosvenor Gardens
UK - London SW1W 2BS

Independent Schools Association Incorporated
Boys' British School
East Street
Saffron Walden
UK - Essex CB10 1LS

Girls' Public Day School Trust
26 Queen Anne's Gate
UK - London SW1H 9AN

Professional organisations for head teachers in the independent sector

Headmasters' Conference
130 Regent Road
UK - Leicester LE1 7PG

Society of Headmasters and Headmistresses of Independent Schools
Mantons
Park Road
UK - Winchester SO23 7BE

Association of Heads of Independent Schools
Eothen School
3 Harestone Hill
Caterham
UK - Surrey CR3 6SG

Incorporated Association of Preparatory Schools
11 Waterloo Place
Leamington Spa
UK - Warwickshire CV32 5LA

Overarching bodies for the voluntary sector

Church of England :	General Synod Board of Education Church House Great Smith Street Westminster UK - London SW1P 3NZ
Roman Catholic Church :	Catholic Education Council 41 Cromwell Road UK - London SW7 2DJ
Free Churches :	Free Church Federal Council Education Committee 27 Tavistock Square UK - London WC1H 9HH
Jewish Education :	United Synagogue Board of Religious Education 5th floor Woburn House Tavistock Square UK - London W1CH 0EZ

Sources

- UK London EURYDICE Unit: answers to questions EU/91/003/00; GR/88/006/00; NL/89/002/00.

- The Management of Compulsory Education in England and Wales: An Outline of Responsibilities./ H. Hayes, J. Le Métais. Slough: NFER/EPIC Europe, 1991. - ISBN 0-7005-1291-8.

Further information :

- How and why parents choose an independent school: research study./ MORI. London: ISIS, 1989. - ISBN 1-1111-2074-5.

UNITED KINGDOM

Scotland

1. General / Legislative framework

There are private primary and secondary schools in Scotland. All schools with more than 5 pupils must be registered with the Scottish Office Education Department (SOED).

2. Types of schools

The overall situation in Scotland is one in which there are three kinds of schools:

- State schools (run in fact by local education authorities) which are either mainstream or for special educational needs; the latter handle either "difficult" pupils or children and young people with handicaps;
- independent schools, run privately, most of them mainstream and either primary, secondary or both, but some of them handling only "difficult" pupils;
- some grant-aided schools for children and young people with physical or mental handicaps.

There is also one school in an anomalous position in that it is a former "demonstration" school, attached to a teacher training college and now is grant-aided but mainstream. It has pupils of primary and secondary age.

A few of the smallest schools serve particular religious groups, all of them at primary level only; the remainder mostly have no particular religious affiliations, except that one or two are for Roman Catholic children (primary and secondary).

3. Conditions for setting up schools

In theory, any person wishing to set up a private school in Scotland may do so, provided that the following conditions are met:

- the school must be registered with the Scottish Office Education Department if it has 5 pupils or more. If there are fewer than 5, they are deemed to be educated at home and different regulations apply;
- registration with the SOED must take place within one month of the school being opened for the first time;
- the school must be open to inspection by Her Majesty's Inspectors of Schools, who have to be satisfied that the premises conform to certain basic accommodation standards, including fire safety recommendations, that the owners are "fit and proper persons" to run such an establishment and that the teachers are similarly acceptable. No one with a criminal record of a serious kind will be allowed to run or teach in a private school.

Initially, the school is given provisional registration until it is fully inspected; a detailed inspection should take place within 2 years, but an early visit by the District Inspector is essential to confirm the suitability of the premises, the owners and the staff, and to establish a maximum roll for the school.

In the course of the 1980's (1983-88), most grant-aided schools, which at that time were either partly or wholly funded by the government, were phased out and faced the choice of becoming fully independent or coming under the wing of the Local Education Authority. These grant-aided establishments included both "standard mainstream" schools and schools for children and young people with social, emotional and behavioural problems. They did not, however, include the grant-aided schools for children with physical or mental handicaps; such schools remain grant-aided today (wholly funded by the government).

4. Financing / Subsidies from public funds / Fees

Private schools must find all of their own finance, usually from fees. Some may come from endowments. The State does not intervene in the determination of fees and so these may vary considerably. Where schools participate in the Assisted Places Scheme, in certain cases the State will offer financial assistance to parents of children over 10 years of age to allow them to send their children to fee-paying schools. In schools which operate this scheme, the State may intervene if it is considered that annual fee-rises are too great.

Grant-aided schools are financed 100% by the government. There are now no schools in Scotland which are only partly financed by the government.

The allocation of finance to grant-aided schools is worked out on a per capita basis taking into account State staffing standards and special needs. Average running costs for the accommodation are calculated separately.

5. Conditions regarding curricula, timetables and teaching methods

There is no legal requirement for a school to follow a particular teaching programme, but it has to follow an appropriate programme in the view of HM Inspectors of Schools.

Independent schools need not open for 190 days in the year, as in the case of the State and grant-aided schools, but are not permitted to open for less than 170 days. The weekly timetabling arrangements, except in the special schools for the handicapped, is expected to be similar to those of the State schools, i.e. 27 hours and 30 minutes per week of teaching, divided into periods of 40 minutes to 1 hour 10 minutes.

There are no regulations or guidelines concerning teaching methods, but again they must be appropriate as judged by HM Inspectors

6. Status of qualifications awarded

Qualifications are not awarded by schools - either independent or state - but by the Scottish Examinations Board or the Scottish Vocational Education Council on the basis of external examinations administered by them; these national bodies are the only ones empowered to give recognition in an official sense. Candidates from independent schools are prepared and presented for these external examinations as are pupils in state schools or colleges. In a few cases, independent schools present candidates for external examinations organised by Examination Boards in England.

7. Appointment / Status / Terms and conditions of service of teachers

The State does not intervene in the appointment of head teachers and teachers except in ascertaining that the teachers are "fit and proper persons to be a teacher", but in practice most schools employ teachers registered by the General Teaching Council. (Registration is mandatory for teachers in schools in the State sector.)

Nearly all teachers in private schools in Scotland are fully qualified, both academically and professionally, since there are strict regulations governing the qualifications of teachers in state schools; it would not be in the interests of the private sector to employ teachers who were less qualified.

Mobility from the private sector to the State sector presents no problems and is not an issue in Scotland; it is up to the individual teacher to apply for any publicly advertised post he/she wishes.

There is potentially no difficulty either in moving from one Member State to another now that the First Directive[1] is in place, especially since almost all teachers in the private schools are fully qualified.

8. Inspection

All independent and grant-aided schools are regularly inspected by HM Inspectors of Schools. Should standards be inadequate, registration may be withdrawn.

9. Statistics

The private schools range in size from about 10 pupils to 2240 and number 121. They serve 4% of the total school population (primary and secondary).

[1] Council Directive 89/48/EEC of 21 December 1988 on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration.

1992

Independent Education	Total
Pupils	32,000 (26,500 day pupils, 5,500 boarders)
Schools	121
Teachers	2,280 full-time 660 part-time

The percentage varies from region to region, and tends to rise in the later stages of education.

10. Index of representative organisations

Scottish Council of Independent Schools
c/o ISIS (Scotland)
22 Hanover Street
UK - Edinburgh

Independent Schools Information Service
11 Castle Street
UK - Edinburgh EH2 3AH

The private schools are affiliated (variously) to a wide range of Associations whose addresses can be obtained from the Independent Schools Information Service.

Trends

The private education sector is generally regarded as an important part of educational provision in Scotland although it is much smaller than the independent sector in England. Its existence is seen as offering parents a wider educational choice for their children. However, with only 4% of the pupil population, private education cannot have a strong influence on decision-making at regional or even national level.

Sources

- UK Scottish EURYDICE Unit: answers to questions EU/91/003/00; GR/88/006/00; NL/89/002/00.

EURYDICE

The Education Information Network in the European Community

Educational cooperation in the Community

The education systems in the twelve EC Member States vary considerably and this variety, which is the result of historical and cultural factors, is itself a source of wealth.

In order to ensure that this diversity does not become an obstacle to the free movement of people, it is essential to provide effective information on the operation and structures of the education systems.

It is also vital for each country to benefit from the experience of its Community partners and thus contribute to the development of European educational cooperation.

In February 1976, the Council of the European Communities and the Ministers of Education adopted an action programme in the field of education[1] and agreed among other things to set up an information network.

This information network, known as EURYDICE, is designed therefore to underpin educational cooperation within the European Community.

It was recognised in 1990 as the chief instrument for providing information on national and Community structures, systems and developments in the field of education [2].

Each Member State has, in accordance with its own distinctive education structures, designated at least one Unit to participate in the network and the Commission of the European Communities has set up the EURYDICE European Unit.

The functioning of EURYDICE is based on cooperation among all the Units. In addition, the European Unit coordinates and animates the network.

[1] Official Journal No. C38, 19.2.1976, p.1.

[2] Official Journal No. C329, 31.12.1990, p. 23.

Eurydice's kontorer
Eurydice - Informationsstellen
Eurydice Information Units
Unités du Réseau Eurydice
Unità di Informazione Eurydice

EUROPEAN COMMUNITY
The Eurydice European Unit
Rue d'Arlon 15
B-1040 Brussels
Tel.: 32-2-238.30.11
Telefax: 32-2-230.65.62

BELGIQUE/BELGIE
Unité francophone d'Eurydice
Ministère de l'Education, de la Recherche et de la Formation
Secrétariat Général
Cité Administrative de l'Etat
Boulevard Pacheco 19, Bte 0, 7e étage
B-1010 Bruxelles
Tel.: 32-2-210.55.25
Telefax: 32-2-210.55.38

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Koningsstraat 150
B-1000 Brussel
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Eurydice's Informationskontor i Danmark
Undervisningsministeriet
Frederiksholms Kanal 25 D
DK-1220 København K
Tel.: 45-33-92.52.01
Telex: 22275
Telefax: 45-33-92.55.67

BUNDESREPUBLIK DEUTSCHLAND
Eurydice Informationsstelle des Bundes
Bundesministerium für Bildung und Wissenschaft
Heinemannstrasse 2
D-5300 Bonn 2
Tel.: 49-228-57.28.33
Telex: 3630=bmbw
Telefax: 49-228-57.20.96

Eurydice Informationsstelle der Länder
Sekretariat der Ständigen Konferenz der Kultusminister der Länder
Nassestrasse 8
D-5300 Bonn 1
Tel.: 49-228-50.12.70
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c/ San Agustín 5
E-28014 Madrid
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Unité Nationale d'Eurydice
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Direction des Affaires Générales,
Internationales et de la Coopération
Sous-Direction des Affaires Multilatérales
DAGIC 7
Rue de Grenelle 110
F-75357 Paris
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Telefax: 33-1-45.44.57.87

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Mitropoleos 15
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Tel.: 30-1-323.74.80
Telex: 216270
Telefax: 30-1-324.82.64

IRELAND
Eurydice Unit / E.C. Section
Department of Education
6th floor - Apollo House
Tara Street
EIR-Dublin 2
Tel.: 353-873.47.00
Telex: 31136
Telefax: 353-1-679.13.15

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Biblioteca di Documentazione Pedagogica
Palazzo Gerini, Via Buonarroti 10
I-50122 Firenze
Tel.: 39-55-241.187 / 241.188
Telefax: 39-55-242.884

LUXEMBOURG
Unité Nationale d'Eurydice
Centre de Psychologie et d'Orientation Scolaires
Route de Longwy 280
L-1940 Luxembourg
Tel.: 352-45.64.64.604
Telex: 3311 MENJ LU
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Praça de Alvalade, 12
P-1700 Lisboa
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Eurydice Unit London
National Foundation for Educational Research
The Mere, Upton Park
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Tel.: 44-753-57.41.23
Telefax: 44-753-69.16.32

Eurydice Unit Scotland
Scottish Office Education Department
Room 803
Jeffrey Street, 43
GB-Edinburgh EH1 1DG
Tel.: 44-31-244.46.49
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